

State Maine  
Department of Public Safety  
JUSTICE ASSISTANCE COUNCIL

2017-2020 Implementation Plan for the

**S T O P**

(Services \* Training \* Officers \* Prosecutors)

Violence Against Women Program



Commissioner John E. Morris, Maine Department of Public Safety  
Chairwoman Marty McIntyre, Maine Justice Assistance Council

*Approved by the Justice Assistance Council on June 6, 2017*

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# **STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM**

## ***Introduction***

For a number of reasons, victims of sexual and domestic violence may be reluctant to seek medical attention or to report the crime to law enforcement officials. Factors can include a sense of shame and embarrassment about the nature of the assault, minimization of the seriousness of injuries, fear of not being treated with dignity and respect, fear that others won't believe their version of the crime, fear that they may be blamed by others, fear that their name may be made public in the news media, and/or fear that working through the legal system will be traumatic and futile.

The Federal STOP (Services \* Training \* Officers \* Prosecutors) Violence Against Women formula grant program funds state, local, tribal governments as well as community-based organizations to prevent violence against individuals and their families and provide victim services for victims. These STOP grants provide for law enforcement and prosecution initiatives to deter violent crime including domestic violence, sexual violence, stalking, and dating violence against individuals, household members, and loved ones. This grant program provides the infrastructure to enhance law enforcement and prosecutorial initiatives to stem this violence and provide victim services to individuals, household members, and loved ones who have been subjected to these violent crimes. The State of Maine has received STOP funding from the U.S. Department of Justice, Office of Violence Against Women (OVW) since 1994.

STOP program funds encourage states including Maine to consider a multi-disciplinary approach involving law enforcement, prosecution, the judiciary, victim service organizations, health care professionals, and other community-based organizations that responds more effectively to violence against individuals, household members, and loved ones. STOP funds are also available to develop advocacy and support services for individuals, household members, and loved ones who have been subjected to violence.

The United States Department of Justice, Office of Violence Against Women (OVW) which oversees the STOP Program at the federal level requires the states to submit STOP Implementation Plans. The 2017-20 plan builds upon the successes previous Maine plans have achieved in reducing violence against individuals, household members, and loved ones. Until this year the states had to update these plans every three years. In September of 2016, OVW changed this provision to every four years. Accordingly, this plan covers the fiscal years 2017-2020. The premise behind the program is that only through collaboration will the goals in this plan be achieved.

In 2016, the Maine Justice Assistance Council (JAC) entered into a partnership with the Maine Statistical Analysis Center (SAC) to update the STOP Violence Against Women Formula Grant Program plan. The SAC secured funds from the State Justice Statistics Program, Bureau of Justice Statistics, Department of Justice to conduct this plan. No state funds were used in carrying out this work.

## ***Goals***

The 2017-20 plan provides the following:

1. Outlines how STOP funds will be used to provide the necessary support services for victims of domestic violence, sexual violence, dating violence and stalking;
2. Explains the needs and priorities determined by the Justice Assistance Council's (JAC) multi-disciplinary team;
3. Provides a statewide planning mechanism in defining what needs to be done to end violence against victims of domestic violence, sexual violence, dating violence and stalking; and,
4. Describes efforts to further engage Maine's tribes in statewide planning efforts regarding domestic violence, sexual violence, dating violence and stalking.

## ***Plan Details***

The 2017-20 Maine STOP Implementation plan includes the following key sections:

- A summary of the planning process and the participants involved;
- Maine's priority areas;
- Maine demographic data;
- Maine domestic violence and sexual violence data; and
- Current STOP-funded initiatives in Maine.

## **THE PLANNING PROCESS**

### ***Funding***

Each year, the Maine Justice Assistance Council issues a competitive request for proposals (RFP) for STOP funds. In some years, depending on funding availability, the JAC issues two RFPs. While most grants are for one year, some grants are multi-year providing some grantees additional time to develop new programs and enhance their chances of finding a sustainable source(s) of funding. These federal funds are passed-through the JAC to eligible agencies. In addition, the Sexual Assault Services Formula Grant Program (SASP) grants are administered by the Maine Department of Health & Human Services.

It is important to note that these STOP Violence Against Women Formula Grant Program funds are not the only source of funds aimed at reducing domestic violence, sexual violence, dating violence and stalking. In addition to the STOP formula funding, Maine domestic violence and sexual violence statewide and local organizations can apply for funding from 21 other OVW formula and discretionary programs.

### **Formula Grant Programs**

The STOP Formula Program is determined by law, federal rules, and OVW guidelines. STOP funds are to be used by state, local, and tribal courts as well Indian tribal governments, local governmental entities, victim service organizations, and culturally specific groups to reduce domestic violence, sexual violence, dating violence, and stalking by enhancing services for victims and making offenders accountable for their actions.<sup>1</sup>

The Formula Programs and other relevant programs administered by the JAC include:

1. Sexual Assault Services Formula Grant Program (SASP) (administered by Maine DHHS)
2. State and Territorial Sexual Assault and Domestic Violence Coalitions Program
3. Grants to Tribal Domestic Violence and Sexual Assault Coalitions Program
4. Family Violence Prevention Services Act (administered by Maine DHHS and the Domestic Violence Coalitions Program)
5. Victims of Crime Act (VOCA)
6. Rape Prevention Education Programs (RPE)

### **Discretionary Grant Programs**

In terms of discretionary funding, Maine domestic violence and sexual violence service providers can conceivably apply for funding through a number of different programs.

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<sup>1</sup> U.S. Department of Justice, Office on Violence Against Women, "OVW Fiscal Year 2016 STOP Formula Grant Program Solicitation," n.d. <https://www.justice.gov/ovw/file/839466/download>, accessed on 2/6/17.

1. Consolidated Grant Program to Address Children and Youth Experiencing Domestic and Sexual Assault and Engage Men and Boys as Allies+ (commonly known as Consolidated Youth)
2. Enhanced Training and Services to End Abuse in Later Life Program (Abuse Later in Life)
3. Grants to Enhance Culturally Specific Services for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program (CSSP)
4. Grants for Outreach and Services to Underserved Populations (Underserved)
5. Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program (Campus)
6. Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction (Tribal Jurisdictions)
7. Grants to Support Families in the Justice System (Justice for Families)
8. Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program (ICJR)
9. Legal Assistance for Victims Grant Program (LAV)
10. Rural Sexual Assault, Domestic Violence, Dating Violence and Stalking Assistance Program (Rural)
11. Sexual Assault Services Culturally Specific Program (SASP-CS)
12. Training and Services to End Violence Against Women with Disabilities Grant Program (Disabilities)
13. Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Stalking, or Sexual Assault Program (Transitional Housing)
14. Tribal Governments Program (Tribal Government)
15. Tribal Sexual Assault Services Program (TSASP)

## STOP IMPLEMENTATION PLAN

A requirement of receiving STOP Violence Against Women Formula Grant Program funding is that the state must develop a statewide implementation program targeting resources at identified priorities that will yield the maximum impact in responding to domestic violence, sexual violence, stalking and dating violence. Developing this plan requires an analysis of data on these violent crimes, an assessment of what has already been funded, and documentation of what is needed to address these issues in the state.

This four year plan establishes priorities and what problems will be targeted and the means by which they will be addressed. The steps taken in developing this plan include the following:

- ◆ Compiled and synthesized existing domestic violence and sexual violence violent crime data;
- ◆ Surveyed key law enforcement officials, judicial and prosecutorial personnel, and domestic violence and sexual violence service providers;
- ◆ Received input from forensic nurses;
- ◆ Interviewed domestic violence and sexual violence service providers on how crime prevention, prosecution, enforcement and victim services should be prioritized by the JAC;
- ◆ Compiled current violent crime, domestic violence and sexual violence initiatives at both the state and local level in Maine; and
- ◆ Reviewed the literature focusing on evidence-based community strategies to address domestic violence, sexual violence, stalking, and dating violence.

The Justice Assistance Council arranged for a diverse group of stakeholders to review the data and make recommendations on formula funding priorities. The stakeholders included:

- ◆ Polly Campbell, Director of Sexual Assault Forensic Examiner Program, Maine Department of Health and Human Services
- ◆ Fatuma Hussein, Executive Director, Immigrant Resource Center of Maine
- ◆ Anne Jordan, Criminal Process & Specialty Docket Manager, Administrative Office of the Courts
- ◆ Lisa Marchese, Criminal Division Chief, Office of the Maine Attorney General
- ◆ Marty McIntyre, Chair of the Justice Assistance Council and Executive Director of Sexual Assault Prevention & Response Services
- ◆ Heather Putnam, Victim Witness Coordinator, U.S. Attorney's Office, Maine
- ◆ Jane Root, Executive Director, Wabanaki Women's Coalition
- ◆ Elizabeth Ward Saxl, Executive Director of Maine Coalition Against Sexual Assault



- ◆ Francine Stark, Executive Director of the Maine Coalition to End Domestic Violence
- ◆ Heather Tyler, Program Manager for Violence Prevention, Maine Department of Health & Human Services
- ◆ Tracy Poulin, Senior Planner and STOP Grant Administrator, Maine Department of Public Safety
- ◆ Robert Schwartz, Executive Director, Maine Chiefs of Police Association

The Department of Public Safety and the Department of Health and Human Services (DHHS) staff meet regularly to review strategies and discuss areas of common interest in terms of domestic violence, sexual violence, stalking and dating violence. As noted above, DHHS staff members were involved in the development of this plan.

In addition, members of the Justice Assistance Council were provided with an earlier draft of this plan and offered the opportunity to provide comments.

### ***State Administrative Agency: Maine Department of Public Safety***

Since 1995, the Maine Department of Public Safety (DPS) has been the state administrative agency (SAA) for STOP Violence Against Women Formula Grant Program. The Maine SAA is responsible for: preparing the STOP Violence Against Women Formula Grant Program application for funding, accounting for and spending award funding, determining and awarding funding to sub-grantees, monitoring sub-grantee activities, providing technical assistance to sub-grantees as requested, and submitting progress reports to the Office of Justice Programs. The STOP program provides crucial financial resources to state and local governmental agencies as well as community-based organizations working on domestic violence, sexual violence, dating violence and stalking. Most years, the SAA issues a request for proposal (RFP) to organizations that are interested in addressing violence against individuals, household members, and loved ones.

In Maine, these federal funds are earmarked for the following areas, and all eligible organizations are encouraged to apply:

#### **Law Enforcement**

- ◆ Municipal police departments
- ◆ Sheriff's departments
- ◆ Maine State Police
- ◆ Other state law enforcement agencies
- ◆ Tribal police departments

#### Prosecution

- ♦ Maine District Attorney's Office
- ♦ Office of the Attorney General

#### Victim Service Providers

- ♦ Non-profit, non-governmental domestic violence or sexual violence victim service organizations
- ♦ Non-profit organizations
- ♦ Tribal domestic violence and sexual violence service organizations
- ♦ Culturally-specific community-based organizations
- ♦ Faith-based organizations
- ♦ 501 (c)(3) or state agency administering a forensic examiner program

#### Court

- ♦ Administrative Office of the Courts
- ♦ Supreme, superior, district, and/or specialty courts in Maine
- ♦ Tribal Court

#### Discretionary

- ♦ Any of the above listed eligible organizations or other eligible entities that have a proposal for consideration

### ***Allocation of Funds***

In July 2016, the Maine Justice Assistance Council issued an RFP with \$1,478,766 available to eligible organizations. The RFP specified the following breakdown in how these funds were to be allocated:

Allocation Category	FY 16 Amount in RFP in June, 2016 <sup>2</sup>	FY 16 Amount Awarded to Subgrantees through 12/1/16	Amount Remaining Balance as of 4/3/17 <sup>3</sup>
Victim Services	\$300,453	\$300,453	\$20,620
Law Enforcement	\$261,020	\$259,775	\$29,801
Prosecution	\$424,509	\$218,548	\$96,585
Courts	\$131,512	\$89,755	\$53,494
Discretionary	\$361,272 (original amount) \$514,420 (revised amount)	\$372,233	\$22,497
<b>Total</b>	<b>\$1,478,766</b>	<b>\$1,240,764</b>	<b>\$204,997</b>

<sup>2</sup> The FY 2016 OVW award to the JAC actually totaled \$1,100,756. The additional \$397,712 was carryover from the previous years.

<sup>3</sup> Some remaining funds were used to supplement proposals being reviewed and funded in the Discretionary category.

Further, the RFP specified that funds need to be awarded with the following conditions:

1. At least 5% of the FY 16 funds from OVW had to be awarded to state, local, and/or tribal courts;
2. At least 25% of the FY 16 funds had to be earmarked for law enforcement;
3. At least 25% of the FY 16 funds had to be earmarked for the prosecution category;
4. At least 30% of the FY 16 funds had to be earmarked for victims services, of which at least 10% has to go to culturally-specific community-based organizations;
5. At least 20% of the total 2016 funds had to be earmarked for projects with sexual violence that fall within two or more of the categories; and
6. The remaining 15% is for discretionary.

For each priority area, the JAC has a sub-committee that reviews each proposal. As of its September 2016 grant review committee meeting, Justice Assistance Council had not met condition #1, was 3-4% short on #3, and was 1-2% short on its victim services allocation.

### ***Maine Justice Assistance Council***

The DPS is assisted by the Maine Justice Assistance Council (JAC), which was formed in 1986 during Governor McKernan's administration to function as a justice policy board to develop broad-based strategies to address persistent crime issues in the state. In addition to providing modest financial support to governmental agencies and community-based organizations engaged in justice policy work, the JAC is engaged in implementing effective crime prevention strategies in Maine. The board is designated as an officially constituted advisory board by Executive Order to provide planning and guidance and to seek input on justice system policy from justice system practitioners, key stakeholders, and advocates.<sup>4</sup>

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<sup>4</sup> National Center for Justice Planning, a project of the National Criminal Justice Association, "Maine Department of Public Safety," n.d., <http://www.ncjp.org/maine>. Accessed on August 30, 2016.

Membership of the Justice Assistance Council consists of the following:

- ◆ Commissioner of the Department of Public Safety or his/her designee
- ◆ Representative of a domestic abuse prevention organization
- ◆ Director of the Maine Criminal Justice Academy
- ◆ District attorney
- ◆ Director of the Office of Substance Abuse or designee
- ◆ Commissioner of the Department of Corrections or his/her designee
- ◆ One Sheriff
- ◆ LEC Coordinator, U.S. Attorney's Office, District of Maine
- ◆ Two Police Chiefs
- ◆ Associate Commissioner for Juvenile Services, Department of Corrections
- ◆ Chairperson of the Maine Commission on Domestic and Sexual Abuse or designee
- ◆ Representative of a statewide law enforcement agency
- ◆ Attorney General or his/her designee
- ◆ Representative of a victim services group

### **Roles and Responsibilities**

The Justice Assistance Council is charged with carrying out the following responsibilities:

- ◆ Distributing requests for proposals that are germane to the originating federal legislation on a regular basis,
- ◆ Reviewing grant applications and determining what applications to fund based on available resources,
- ◆ Holding regular meetings to review grantee progress and carry out other requirements as appropriate, and
- ◆ Providing input and direction to the SAA Senior Planner.

The Maine JAC membership consists of people from organizations that are involved in domestic violence/sexual violence, drug crime, and violent crime prevention, prosecution, and victim services. These individuals are members based on their position within state government or appointed by the governor to shape policy and practice that will lead to more comprehensive strategies that minimize these types of crimes. The JAC meets quarterly to review intergovernmental policies and practices and monitor the funding decisions to state and local entities. These meetings are open to the public and include participation from providers who are not council members.

### **JAC Priorities and Coordination with Federal Funding Initiatives**

While the JAC's priorities have changed to some extent over time, the underlying principle of its work has been to enhance coordination across all criminal justice systems in the state.

In a state where nearly 75% of all local law enforcement agencies have fewer than 20 officers, this coordination takes on added significance. As criminal activity becomes more sophisticated, local and state law enforcement agencies need coordinated approaches that share the resources and expertise of multiple agencies.

### **Grant-Making**

The JAC coordinates its efforts with several statewide crime prevention task forces. JAC members are involved in such efforts as the Maine Opiate Collaborative, Project Safe Neighborhoods, the Maine Coalition to End Domestic Violence, the Maine Commission on Domestic and Sexual Abuse, and the Maine Coalition Against Sexual Assault, and the Wabanaki Women's Coalition. The JAC works with these groups to establish its funding priorities in any given year.

### **Tribal Participation**

The JAC, through the Senior Planner at the Department of Public Safety, will work diligently to ensure they seek tribal input and perspectives when statewide domestic and sexual violence funding policies and strategies are being developed. These agencies already have long-term working relationships with Maine's three statewide coalitions, this effort is as an added resource.

## **MAINE PROGRAM PRIORITY AREAS**

The Justice Assistance Council's most recent Implementation Plan for the STOP Violence Against Women Program spanned 2014 to 2016. This plan was developed with detailed contributions from JAC members as well as key stakeholders from law enforcement, prosecution, the judiciary, and victim services. The priority areas identified in the Implementation Plan were:

1. **Coordinated Community Response/Multi-disciplinary Response.** Initiatives seeking funding under this priority area will aim to improve coordination of the justice system's response to domestic violence, sexual violence, and dating violence. Recent projects include:
  - a. Next Step Domestic Violence Project used STOP funding to enhance and maintain connections with local law enforcement agencies. The relationship building has led to law enforcement personnel reaching out to advocates when they respond to domestic violence incidents, to refer victims, and to consult with them about available services;
  - b. Family Crisis Services (FCS) used STOP Program funding to expand the Enhanced Police Intervention Collaboration (EPIC) to other critical first responders including Fire and Rescue Departments throughout Cumberland County. These working

relationships have created increased referrals to FCS, improved law enforcement responses to domestic violence, and collaborative team approaches to working with victims; and

- c. Family Violence Project used STOP funding to bring in outside agencies to meet with clients in an informal group setting. Sexual assault educators, crisis intervenors, fire & rescue personnel, community police services, and batterer intervention group leaders...all have met with shelter groups.
2. **Victim Service Maintenance and Expansion.** This priority area emphasizes upholding key victim services as well as expanding services to underserved areas and populations. Recent projects include:
- a. Sexual Assault Prevention and Response Services used STOP funding to provide more appropriate services to underserved populations and to expand its services into more rural communities. It has allowed them to continue to develop new strategies on how to provide services and break down some of the traditional barriers;
  - b. Family Crisis Services (FCS) partnered with the Maine Correctional Center and the Southern Maine Women's Re-entry Center to provide programming and direct services to women who are incarcerated. FCS also is able to connect women with other domestic violence and sexual assault resource centers across the state when being released to help support women when they re-enter their communities; and
  - c. Lewiston Police Department used STOP Program funding to develop a Proactive Response Team (PRT) which conducts domestic violence (DV) Safety Checks. These checks are done on victims of domestic violence crimes, sexual assaults, and plaintiffs in protection orders as well as victims of an offender who is on deferred disposition or probation with conditions not to have contact with the victim. The Domestic Violence Coordinator is responsible for coordinating the DV Safety Check details.
3. **Enhanced Adjudication Process.** These programs support the management of offender behavior and ensure victim safety. Recent projects include:
- a. York County District Attorney's Office has used STOP funding to train officers, meet with social service agencies, meet with victims and keep current with the best practices in prosecuting domestic violence, stalking and sexual assault cases. The consistency of prosecution among the three has resulted in better plea deals;
  - b. Pine Tree Legal Assistance used STOP funding to support victims of domestic violence, dating violence, and stalking in the Bridgton and West Bath District Courts twice per month each. PTLA has limited other funding sources to address the needs

of survivors in these rural court areas. Without STOP funding, servicing these areas would not have been possible on a regular basis; and

- c. Prosecutorial District IV used STOP funding to provide law enforcement to monitor the defendants while they are in the court process, and to fund a prosecutor to assist with the DV case load, and be on teams that enforce rehabilitation programs for convicted individuals who have been returned to the community;
4. **Training.** The JAC provides funding to victim services providers, law enforcement, prosecution, medical services personnel, and other first responders. Recent projects include:
- a. Maine Chiefs of Police Association used STOP funds to begin to assemble a comprehensive on-line library of courses addressing DV, sexual assault and human trafficking that will provide law enforcement officers statewide with access to affordable, high-quality training;
  - b. Maine Coalition Against Sexual Assault (MECASA) used the funding to create a training video for law enforcement officers which features the on-the-ground skills, experience, and wisdom from a selection of law enforcement officers across many regions and jurisdictions. MECASA believes that there are many highly skilled and qualified sexual assault investigators in Maine. This will be an opportunity to bring their experience to those in training;
  - c. Maine Judicial Branch used the STOP funding to provide in depth intensive training on DV, sexual assault (SA) and stalking to 11 new judges and magistrates by highly skilled and experienced instructors from the National Judicial College. Maine's current budget does not provide for such training; and
  - d. Waldo County General Hospital, Pen Bay Medical Center and LincolnHealth are collaborating to develop and implement a high-quality regional Sexual Assault Forensic Examiner (SAFE) program to provide survivors of sexual assault and domestic violence with access to SAFE nurses for evidentiary collection and medical care, 24 hours per day, seven days per week. Individually, none of the three hospitals has the resources or patient demand to support a stand-alone SAFE program, but collaboratively, they have the capacity to leverage leadership, staffing, and other resources to create and sustain a viable and sustainable regional SAFE program.
5. **Policy, Procedures, and Planning.** Funding in this priority area is geared toward developing evidence-based policies and practices in stopping domestic violence and sexual violence. Recent projects include:
- a. Maine Coalition Against Sexual Assault used STOP funding to provide crucial support to aid in the development of a stronger statewide service infrastructure to

support incarcerated victims/survivors and provide them with the services they need to heal and thrive post-incarceration.

While Maine was found noncompliant with PREA standards in 2014, the continuation of STOP funds has directly contributed to the successful audits of each state-run correctional facility;

- b. Spruce Care – Woman’s Alliance used STOP Grant funding to provide enhanced safety planning services to an increased number of victims of domestic violence in Penobscot and Piscataquis Counties; and
  - c. Maine Coalition Against Sexual Assault used STOP funding to support dedicated time to address human trafficking by creating more robust protocols, plan for gaps in programming, and develop an action plan for the future.
6. **Technology and Information.** Awards in this priority area are used to improve the sharing of information across systems to improve the safety of victims and safeguard evidence for prosecution purposes. Recent projects include:
- a. Department of Corrections used STOP funding to purchase cameras for 3 correctional facilities to detect and prevent sexual assaults in our correctional facilities.

### ***Stakeholders in the Planning Process***

As part of formulating the 2017-20 STOP Implementation Plan, multiple organizations reviewed progress on the 2014-16 plan and provided input on what should be included in the latest plan. Stakeholders reviewed five years (2010-14) of STOP grantee data compiled by the University of Southern Maine’s Muskie School of Public Service’s Statistical Analysis Center (SAC). This was one of the first times more than one year of STOP grantee data had been reviewed by JAC members. The Maine SAC shared these trend data with JAC members enabling them to determine what should be prioritized in the new plan.

### ***Stakeholder Survey***

The Maine Department of Public Safety (DPS) worked with the SAC in October of 2015 to update the Maine Justice Assistance Council Drug Control, Violence and Crime Prevention and System Improvement Multi-year Strategy for fiscal year 2017.

Part of this effort included a survey of key state stakeholders including law enforcement, court system employees, district attorneys, and domestic violence and sexual assault coalition/center staff. The survey was meant to capture key stakeholder opinions of the challenges in addressing *violent crimes, drug crimes, domestic violence, and sexual violence*, as well as stakeholders'



awareness of strategies and promising practices related to these areas, and their opinions on how to prioritize and target funds to address them.

Survey questions were drafted by the SAC research team based on discussions with, and priorities identified by, the DPS. The online survey was sent to 408 potential survey participants in March 2015. In addition to the 408 original recipients of the survey, one key stakeholder distributed the survey to 20 of colleagues who were not on the list of potential participants, increasing the potential responses to 428. A total of 165 stakeholders completed the survey for a response rate of 38.6%. The results are listed in the Data section.

### ***Domestic Violence/Sexual Assault Services User Survey***

In addition, MECASA and the Maine Coalition to End Domestic Violence (MCEDV) administered a brief, month-long domestic violence/sexual assault services user survey in the spring of 2017. The link to the survey was posted on MECASA's Facebook page. (See Appendices for a copy of the survey. Twenty-eight (40.0%) of the respondents indicated they identify as a survivor of both domestic violence and sexual assault, followed by 35.7% of respondents mentioning they were a survivor of domestic violence only, and 24.3 indicating they were a survivor of sexual assault only.

More than a third (37.1%) of respondents mentioned they had sought domestic violence and/or sexual assault services in the last five years, followed by 15.7% indicating they received services 10-20 years ago, 14.3% 5-10 years ago, and 12.9% more than 20 years ago. Over a quarter (28.6%) mentioned they never received or sought services at all.

Survey participants were asked "How important are the following resources for domestic and sexual violence services in Maine?" to a list of 18 different services. The service garnering the most "Extremely Important" designations was "24/7 confidential crisis and support helpline" at 78.6%, followed by affordable housing (75.7%), comprehensive safety planning (71.0%), support/accompaniment through the criminal justice system (69.0%) and legal services (69.0%).

Respondents were then asked three open-ended questions. The first of which was, "What do you consider to be the most critical area of need for survivors of interpersonal (sexual or domestic) violence in Maine?" Sixty-four of the respondents provided an answer. Of these, 28.1% of them indicated that housing or shelter was the most critical area of need, followed by advocacy/support accompaniment (26.6%) and mental health services/counseling (26.6%).

Survivors were also asked "What do you see as the point where the criminal justice system fails survivors, if any?" Fifty-seven people completed this question. Of these, 22.8% indicated that the

system fails survivors when it engages in victim blaming. About one in six or 17.5% mentioned that the legal system is not helpful, while 15.8% stated that sentences were too lenient.

Lastly, respondents were directed to consider “What legislation to address domestic or sexual violence would you like to see brought up in the next four years?” Answers varied to this question; however, nearly one (24.4%) in four respondents recommended more legislation on stiffer sentences, followed by more advocacy services/support for survivors (15.6%), and expanded shelter/housing service for survivors (13.3%).

### ***STOP Implementation Plan Priorities***

The STOP Implementation Plan was also raised at a 2016 quarterly Justice Assistance Council meeting. The following agencies/groups are typically represented at these meetings:

- ◆ Department of Public Safety
- ◆ Domestic abuse prevention organization
- ◆ Maine Criminal Justice Academy
- ◆ District attorney
- ◆ Office of Substance Abuse
- ◆ Department of Corrections
- ◆ A sheriff
- ◆ U.S. Attorney’s Office, District of Maine
- ◆ Police chiefs
- ◆ Maine Commission on Domestic and Sexual Abuse
- ◆ State law enforcement agency
- ◆ State Attorney General’s office
- ◆ Victim services group

In December 2016, the Justice Assistance Council convened a STOP Implementation Plan planning group. Later this group was expanded to include tribal representatives and representatives from culturally specific service programs (e.g. Immigrant Resource Center). The group advanced a plan of working on the same priorities in the 2017-20 plan that it did in the 2014-16 plan.

1. **Coordinated Community Response/Multi-disciplinary Response.** Initiatives seeking funding under this priority area will aim to improve coordination of the justice system’s response to domestic violence, sexual violence, and dating violence;
2. **Victim Service Maintenance and Expansion.** This priority area emphasizes upholding key victim services as well as expanding services to underserved areas and populations;
3. **Enhanced Adjudication Process.** These programs support the management of offender behavior and ensure victim safety;
4. **Training.** The JAC provides funding to victim services providers, law enforcement, prosecution, medical services personnel, and other first responders;
5. **Policy, Procedures, and Planning.** Funding in this priority area is geared toward developing evidence-based policies and practices in responding to domestic violence and sexual violence; and

6. **Technology and Information.** Awards in this priority area are used to improve the sharing of information across systems to improve the safety of victims and safeguard evidence for prosecution purposes.

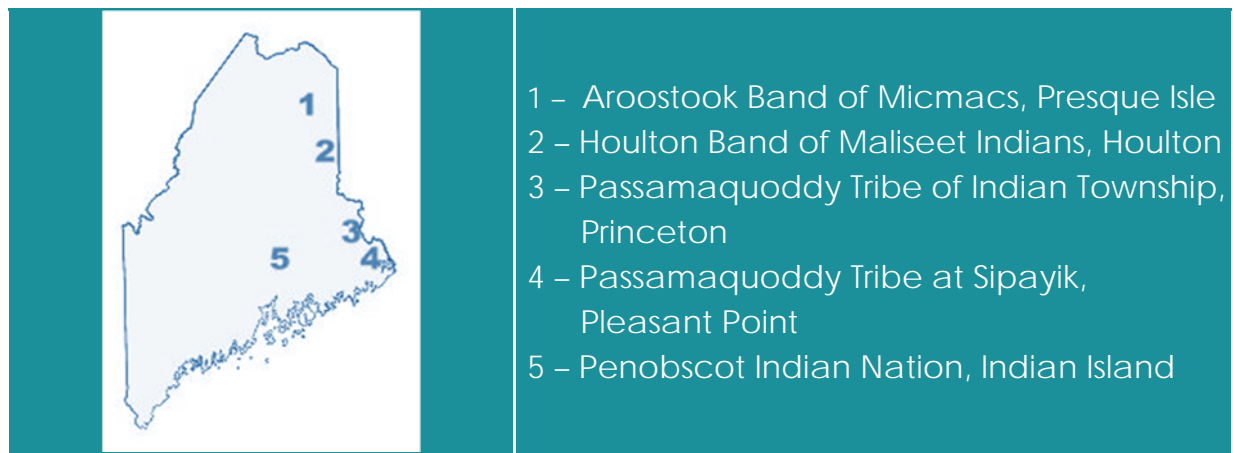
### Meetings/Interviews

The STOP Implementation Plan planning group also discussed the challenges and complexities of administering victim services in the midst of the opiate epidemic. Some planning group members expressed concern over the ability of domestic violence shelters to provide victim services and at the same time provide drug treatment services to people needing these services.

Developing a consistent statewide response to domestic abuse was mentioned by members of the planning group. The group cited some findings in the latest Maine Homicide Review Panel report calling for more a consistent approach from law enforcement agencies in responding to domestic abuse cases. In addition, the group suggested that more information on such cases needs to be accessible in the event that multiple law enforcement agencies get involved in such cases.

### Tribal Participation

Maine has five federally recognized Indian tribes. They are depicted on the chart below. Each of these Indian tribes has a dual domestic and sexual violence victim services organization for members who live on or off the reservations as well as non-members.



The JAC, through the Senior Planner at the Department of Public Safety, reached out to all Maine tribal governments and tried to arrange meetings with them to discuss the latest STOP Implementation plan. While the Wabanaki Women's Coalition provided the Maine Statistical Analysis Center with data for inclusion in the report, the tribal domestic violence and sexual violence prevention advocates did not reply to DPS Senior Planner despite repeated attempts.

A meeting is scheduled with these individuals on July 19<sup>th</sup> at the annual meeting. It is quite possible that there will be an exchange of ideas during that forum. Tribal leadership was also contacted directly and none have responded – again it is thought that the ideas may be exchanged on July 19 through the individuals working at the Domestic and Sexual Violence Advocacy Centers. While tribal input was limited, DPS will continue to attempt to broker meetings between the State and the tribes on domestic and sexual violence issues so their voices are heard regarding how STOP funds are to be implemented in the State of Maine.

## State Data Assessment

The STOP Implementation Planning Process requires states to examine their demographic as well as domestic violence, sexual violence, stalking, and dating violence data. The plan should detail the problem areas, provide an assessment of current efforts to address these problem areas, and identify possible additional resources/interventions needed to address these areas.

Toward that end, in 2016 the JAC entered into a partnership with the SAC to update its Drug Control, Violence and Crime Prevention and System Improvement Multi-Year Strategy. The SAC secured funds from the State Justice Statistics Program, Bureau of Justice Statistics, Department of Justice to conduct research and construct this plan. No state funds were used in carrying out this work.

In formulating this new plan, the Maine Statistical Analysis Center (SAC) performed the following tasks:

- ♦ Compiled and synthesized existing domestic violence, drug crime, sexual violence, and violent crime data;
- ♦ Surveyed key law enforcement officials, judicial and prosecutorial personnel, and domestic violence and sexual violence service providers;
- ♦ Interviewed domestic and sexual violence service providers and drug treatment providers on how crime prevention, prosecution, enforcement and victim services should be prioritized by the JAC;
- ♦ Compiled current violent crime, drug crime and drug treatment, domestic violence and sexual violence initiatives at both the state and local level in Maine; and
- ♦ Reviewed the literature focusing on evidence-based community strategies to address both domestic violence and sexual violence as well as violent crime and substance abuse.

As part of the strategic plan development process, consideration was given to current federal, regional, and state priorities on these issues.

## STATEMENT OF THE PROBLEM

### *Maine Demographics*

As of 2016, Maine was the 3<sup>rd</sup> most populous state in New England and 42nd nationally with a population of 1.331 million residents.<sup>5</sup> As of 2016, Maine's overall population has grown very little (0.2%) since 2010, making it one of the slowest growing states population wise in the country. Of the 100 largest cities in New England, only three—Portland, Lewiston and Bangor—are in Maine.<sup>6</sup> It is the least densely populated state in New England and 38<sup>th</sup> nationally with 43.1 residents per square mile. By comparison, Rhode Island and Massachusetts have 1,018.1 and 839.4 residents respectively per square mile.<sup>7</sup>

In terms of territory, Maine is almost as big as the other five New England states combined.<sup>8</sup> Aroostook County (the northernmost of Maine's 16 counties) covers an area larger than Rhode Island and Connecticut combined. Services in the northern part of the state are spread out and accessing them, especially in the winter months, poses a challenge. Much of Maine, especially northern Maine, consists of unorganized territories, areas without a system of local government. Roughly half (45.5%) of the state's land mass consists of unorganized territories. Residents in these towns rely on the state for governmental services. Much of the state's population (36%) is concentrated in the two southernmost counties – York and Cumberland counties.

### *Race & Ethnicity*

With the exception of Vermont, Maine is the most racially homogenous state in the country. At the time of 2010 census, Maine's White population was 95.2%. Since then the White population has dipped to 94.9% as more people of color, most notably immigrants, have moved to the state. While Black/African-Americans still make up a relatively small percentage of the state's population, their overall percentage more than doubled climbing from 0.5% to 1.2% from 2000 to 2010. Numerically, the number of Black/African-Americans rose 132% between the 2000 and 2010 census.<sup>9</sup>

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<sup>5</sup> United States Census Bureau, National Population Totals Tables: 2010-2016, n.d., <http://www.census.gov/data/tables/2016/demo/popest/nation-total.html> Accessed on January 12, 2017.

<sup>6</sup> Wikipedia, "List of cities by population in New England," n.d. [https://en.wikipedia.org/wiki/List\\_of\\_cities\\_by\\_population\\_in\\_New\\_England](https://en.wikipedia.org/wiki/List_of_cities_by_population_in_New_England). Accessed on October 14, 2016.

<sup>7</sup> Index Mundi, "United States – Population per square mile, 2010 by State," n.d. <http://www.indexmundi.com/facts/united-states/quick-facts/all-states/population-density#chart>, Accessed on October 14, 2016.

<sup>8</sup> Netstate.com, "50 State Rankings for Size," n.d., [http://www.netstate.com/states/tables/st\\_size.htm](http://www.netstate.com/states/tables/st_size.htm), Accessed on October 14, 2016.

<sup>9</sup> 2010 Census Results – Maine, State Population by Race – Maine: 2010, n.d., <http://www.census.gov/2010census/data/>. Accessed on December 28, 2016.

While much of the State is overwhelmingly White, some locations in 2015, most notably Portland (85.0%) and Lewiston (86.6%) – the state’s two largest cities - were a little more diverse than much of the rest of the state. About a third of all Portland public school students speak a primary language other than English. Of the 60 languages spoken by Portland students, the ten most common are, in order: Somali, Arabic, Spanish, French, Portuguese, Kirundi, Vietnamese, Khmer, Kinyarwanda, and Acholi.<sup>10</sup> In Lewiston, 30% of public school students’ primary language is not English.<sup>11</sup> Nearly 80% of these students whose primary language is not English speak Somali.

In 2015, Washington County had the lowest percentage of its population classified as White (91.5%) than any other county. This county of 31,625 (2015 Census estimate)<sup>12</sup> was home to roughly 1,600 American Indians. Over the past 20 years, the percentage of people identifying as Hispanic has more than doubled, climbing from .6% in 1990 to 1.3% in the 2010 census.

Table 1: Maine Population by Race<sup>13,14,15</sup>

	US 2010	2010	2000	1990
White	72.4%	95.2%	96.9%	98.4%
Black/African American	12.6%	1.2%	0.5%	0.4%
American Indian & Alaska Native	0.9%	0.6%	0.6%	0.5%
Asian	4.8%	1.0%	0.7%	0.5% <sup>16</sup>
Native Hawaiian & Other Pacific Islander	0.2%	0%	0%	NA
Other Races	6.2%	0.4%	0.2%	0.1%
Two or More Races	2.9%	1.6%	1.0%	NA <sup>17</sup>

<sup>10</sup> Portland Public Schools “Student Demographics,” n.d.,

[http://www.portlandschools.org/UserFiles/Servers/Server\\_1094153/File/District%20Information/Fast%20Facts%20October%202016.compressed%20\(3\).pdf](http://www.portlandschools.org/UserFiles/Servers/Server_1094153/File/District%20Information/Fast%20Facts%20October%202016.compressed%20(3).pdf). Accessed on February 6, 2017.

<sup>11</sup> Lewiston Maine Public Schools, “Lewiston Public Schools Language Breakdown on 11/09/2016,” n.d., <https://sites.google.com/a/lewistonpublicschools.org/demographics/home>. Accessed on March 2, 2017.

<sup>12</sup> 2010 Census Results – Quick Facts – Washington County, Maine, n.d., <http://www.census.gov/quickfacts/table/PST045216/23029,23>. Accessed on January 3, 2017.

<sup>13</sup> 2010 Census Results – Maine, State Population by Race – Maine: 2010, n.d., <http://www.census.gov/2010census/data/>. Accessed on December 28, 2016.

<sup>14</sup> 2000 Census Results – Profile of General Demographic Characteristics: 2000 - Maine, n.d., <http://www.census.gov/2010census/data/>. Accessed on December 28, 2016.

<sup>15</sup> 1990 Census Results – 1990 Census of Population and Housing, Public Law 94-171 Data (Official), Age by Race and Hispanic Origin, n.d., <https://censtats.census.gov/cgi-bin/pl94/pl94data.pl>. Accessed on January 3, 2017.

<sup>16</sup> On the 1990 census, Asian and Native Hawaiian race categories were combined.

<sup>17</sup> On the 1990 census this was not an established category.

This growing language and cultural diversity provides a growing challenge (and opportunity) for local law enforcement.

## ***Age***

Maine has the highest median age of any state at 44.1. The median is 1.3 years higher than the next closest state – Vermont – at 42.8. Maine’s median age rose 2.9 years from 2005 to 2014. The state’s aging population presents some challenges as more people retire and there are fewer younger people to replace them in the workforce.

Table 2: States with Highest & Lowest Median Age - 2014<sup>18</sup>

Highest	
1. Maine	44.1
2. Vermont	42.8
3. New Hampshire	42.5
4. West Virginia	41.9
5. Florida	41.6
Lowest	
1. Utah	30.5
2. Alaska	33.3
3. District of Columbia	33.8
4. Texas	34.3
5. North Dakota	35.1

## ***Poverty***

One (14.1%) in seven adult Mainers have incomes below the poverty line.<sup>19</sup> This rate placed Maine 22<sup>nd</sup> among the states and highest in New England. Poverty rates vary by county and region. Northern Maine counties tend to have the higher poverty rates in comparison to the southern counties. From 2009-13, Washington County’s poverty rate stood at 19.5% - nearly one in every five people – followed by Piscataquis (18.5%), and Somerset (17.8%).<sup>20</sup> York County had the lowest rate among the counties at 9.5%.

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<sup>18</sup> U.S. Census Bureau’s American Community Survey, Median Age, by State, 2005-2014, n.d., <http://www.denverpost.com/2015/10/08/chart-compare-the-average-age-in-each-u-s-state-2005-2014/>. Accessed on January 3, 2017.

<sup>19</sup> Talk Poverty, Poverty by State - 2015, , n.d., <https://talkpoverty.org/state-year-report/maine-2015-report/>. Accessed on January 3, 2017.

<sup>20</sup> U. S. Census Bureau, American Community Survey, 5-Year Estimates. n.d. <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>. Accessed on January 3, 2017.

For the 2013-14 school year, 45.4% of Maine students were eligible for free or reduced price meals compared to 51.7% in the U.S.<sup>21</sup> By comparison, neighboring New Hampshire had a rate of 27.8%. Rates by county varied from a high of 66.6% in Piscataquis County to a low of 32.6% in Cumberland County.

Compounding these poverty figures is the lack of public transportation in most parts of the states. Accessing domestic violence and sexual violence services is nearly impossible if victims do not have ready access to transportation.


### ***Law Enforcement***

A combination of federal, state, county and local agencies provide law enforcement services within the state. In 2015 there were 135 municipal/county agencies with the total of 1,618 municipal local full-time law enforcement officers and 342 full-time officers working for the Maine's 16 Sheriff's Departments.<sup>22</sup> There are 302 officers working for Maine State Police.<sup>23</sup> Maine Department of Public Safety employs 16 other full-time law enforcement officers. All told, there are 2,278 full-time law enforcement officers. There are 15 county jails<sup>24</sup> and state correctional facilities number ten.

There are three certified tribal law enforcement agencies in the state. They are:

1. Penobscot Indian Nation, Indian Island, ME
2. Indian Township Passamaquoddy, Indian Township, ME
3. Pleasant Point Passamaquoddy, Pleasant Point, ME

Since 1995, the number of full-time sworn law enforcement officers (not including the tribal law enforcement agencies) has increased 11.2%, faster than the corresponding population increase of 7.5%.<sup>25</sup> However, the number of officers per 1,000 population is 1.71, lower than the New England average of 2.2 and the national average of 2.3.<sup>26</sup>



The number of the number of officers per 1,000 population is 1.71, lower than the New England average of 2.2 and the national average of 2.3.

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<sup>21</sup> Carsey School of Public Policy, University of New Hampshire, Northern New England Indicators, n.d., [http://nne-indicators.unh.edu/nne.shtml?category\\_id=1&region\\_id=23000](http://nne-indicators.unh.edu/nne.shtml?category_id=1&region_id=23000). Accessed on January 3, 2017.

<sup>22</sup> State of Maine, Department of Public Safety, "Crime in Maine – 2015," (Augusta, ME: Department of Public Safety, Uniform Crime Reporting Division), p. 92.

<sup>23</sup> Crime in Maine, 2015, p. 92.

<sup>24</sup> Two Bridges Regional Jail is operated by Lincoln and Sagadahoc Multicounty Jail Authority.

<sup>25</sup> State of Maine, Department of Public Safety, "Crime in Maine – 1995," (Augusta, ME: Department of Public Safety, Uniform Crime Reporting Division), p. 58.

<sup>26</sup> Crime in Maine, 2015, p. 92.



Due to the state's low number of officers and its relatively large land mass, Maine law enforcement officers are required to cover a lot of territory. With Maine's land mass of 35,387 square miles, the 2,278 sworn law enforcement officials cover an average of 15.5 square miles.

As a result, Maine law enforcement agencies must work across jurisdictions to keep crime at bay, especially for drug crime, which often takes place across multiple Maine jurisdictions and sometimes states.

Most Maine residents seem to think that local law enforcement is doing a good job. In the 2015 Maine Crime Victimization Survey (MCVS), the majority of respondents, 69.1% gave law enforcement a favorable rating, though the rating were lower among crime victims (63.8%) compared to non-crime victims (75.4%).<sup>27</sup>

With only eight prosecutorial districts, Maine's judicial system likewise serves a dispersed population. Each district covers one to four counties. In each district, the district attorney is elected by popular vote. Maine's courts system, the Maine Judicial Branch (MJB), includes a supreme court, superior courts (17 locations), and district courts (29 locations). In addition, the MJB includes a Family Division, drug treatment courts, a business and consumer court, domestic violence monitoring dockets and small claims courts.

In an effort to make court services more accessible to non-native English speakers, the MJB provides interpreter services. Currently there are 55 interpreters (30 females and 25 males) on the MJB roster that provide interpreter services in 27 languages. Many of these interpreters are polyglots and rostered in multiple languages. When no court rostered interpreters are available in a target language, the MJB then contacts one of the agencies that have interpreting contracts with the State of Maine. Similarly, like the Bail Commissioners, the courts also have a contract with a Language line service, with over 100 different languages, available to the courts/clerks to provide telephonic translation services.<sup>28</sup>

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<sup>27</sup> Dumont, R., Shaler, G. "2015 Maine Crime Victimization Report: Informing Public Policy for Safer Communities." (Portland, ME: University of Southern Maine), p.13.

<sup>28</sup> E-mail communication with Anne Jordan, March 1, 2017.

In addition, the MJB provides regular training on domestic violence and sexual violence issues for court personnel. Among the recent or upcoming trainings are:


1. Ontario Domestic Violence Assault Risk Assessment (ODARA) training. MJB provided two different types of ODARA trainings-one for the judges and Magistrates at the Judicial College at Sugarloaf and then 6 different training sites for the Bail Commissioners across the state. All Bail Commissioners were mandated to take and complete the training;
2. In September 2016, 10 new judges and one new magistrate attended an intense four day domestic violence training program, with faculty from the National Judicial College, in Portland.
3. The first full day of the 2017 Summer Maine Bar meeting will be devoted to training on domestic violence and sexual violence matters. There will be judges in attendance as well as lawyers and the programming is open to all attendees;
4. In the falloff 2017, the MJB will offer two 1-day trainings in Portland and Bangor for court contracted personnel (mediators, interpreters CASA volunteers, and clerks) on trauma informed response services.

In addition, the two Passamaquoddy reservations (Indian Township and Pleasant Point) share a judge, but have separate courts and court clerks.

### ***Crime in Maine***

Historically, Maine's index crime rates have been considerably lower than the U.S. rates. In 2015, the index crime rate plummeted to its lowest level in the past 10 years. The index crime rate of 1,956 per 100,000 population was 7.1% lower than the previous year, the 2<sup>nd</sup> lowest year. While the national and Maine index crime rates fell by comparable percentages

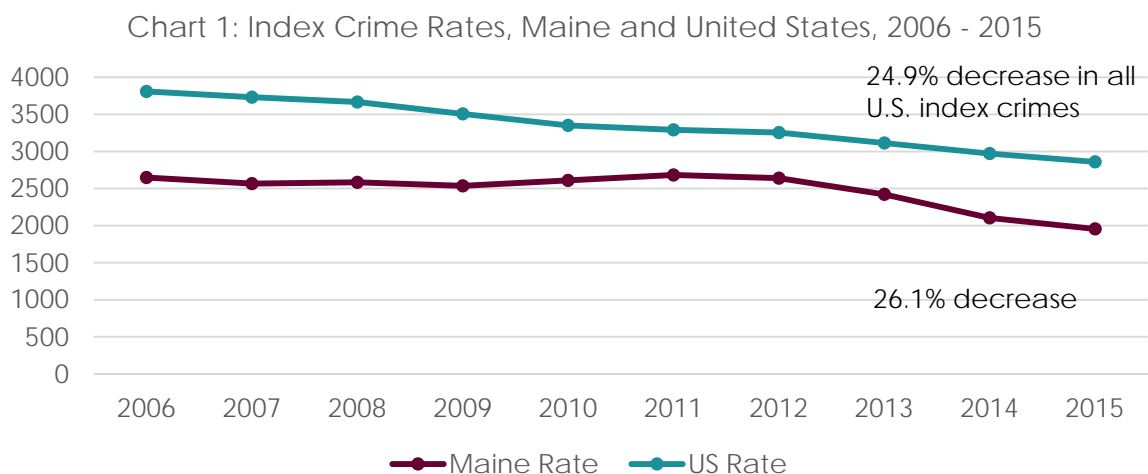
from 2006 to 2015, the gap between the two rates is once again widening after narrowing slightly between 2010 and 2011. In 2015, the Maine index crime rate of 1,956 per 100,000 was 31.6% lower than the national rate of 2,860 per 100,000. Further, findings from the 2015 MCVS confirm that most Mainers (86.3%) are not fearful that they will be the victims of a violent crime.<sup>29</sup>



Historically, Maine's index crime rates have been considerably less than the U.S. rate. In 2015, the index crime rate plummeted to its lowest level in the past 10 years.

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<sup>29</sup> 2015 MCVS, p. 12.



Fueling the drop in the index crime rate was a large drop in property crimes. As the table below points out, from 2006 to 2015 property crime fell by 27.2% from 33,470 to 24,377. Property crime (a category consisting of burglary, larceny/theft, motor vehicle theft, and arson) is more prevalent in Maine than violent crime (murder, rape, robbery, and aggravated assault), therefore the 27.2% decrease in property crimes drove the 25.7% decrease in all index crimes.<sup>30</sup>

Table 3: Trends in Reported Index Crimes in Maine, by Type of Offense  
2006-2015

Year	Total Index Crime	Violent Crime Sub-Total	Murder	Forcible Rape	Robbery	Aggravated Assault	Property Crime Sub-Total	Burglary	Larceny/Theft	Motor Vehicle Theft	Arson
2006	34,994	1,524	21	340	383	780	33,470	6,776	25,161	1,340	193
2007	33,796	1,556	21	393	349	793	32,240	6,677	24,060	1,260	243
2008	34,008	1,549	31	373	332	813	32,459	6,516	24,582	1,173	188
2009	33,412	1,540	26	374	398	742	31,872	6,711	23,900	1,018	243
2010	34,652	1,589	24	389	416	760	33,063	7,343	24,490	985	245
2011	35,615	1,629	25	391	370	843	33,986	7,826	24,826	1,074	260
2012	35,073	1,616	24	368	421	803	33,457	7,429	24,812	990	226
2013	32,162	1,661	24	359	335	943	30,501	6,453	23,006	902	140
2014	27,987	1,582	22	356	304	900	26,405	5,009	20,501	796	99
2015	27,987	1,623	23	373	311	916	24,377	4,675	18,801	810	91

Data taken from Crime in Maine, Department of Public Safety, Maine State Police, Uniform Crime Reporting Unit's Website.

<sup>30</sup> Over the ten year period (2006-2015), property crime accounted for 95.2% of all index crimes.

### ***Serving Human Trafficking Victims***

Human trafficking has emerged as an area of challenge in Maine and is being addressed by the Maine Coalition Against Sexual Assault (MECASA) as well as Sexual Assault and DV agencies and various non-profit faith-based organizations. It is mentioned here because this issue is addressed somewhat differently by DV and sexual violence groups. One challenge associated with providing victim services for trafficking victims stems from the multiple forms of abuse perpetrated against them and the need for long-term residential treatment to address their physical, emotional, and social needs. To date, Maine has one such residential victim services program, Hope Rising, run by Saint Andre Home, but DV agencies also have a model program under development based on the Family Violence Project's shelter model.

### ***Tribal Domestic Violence and Sexual Violence Programs***

Tribal domestic violence and sexual violence services are often co-located on each of the reservations. The centers are:

1. Micmac Domestic and Sexual Violence Advocacy Center
2. Maliseet Domestic and Sexual Violence Advocacy Center
3. Indian Township Passamaquoddy Domestic and Sexual Violence Advocacy Center
4. Passamaquoddy Peaceful Relations Domestic and Sexual Violence Advocacy Center
5. Penobscot Nation Domestic and Sexual Violence Advocacy Center

These centers provided services to 242 victims (not including children) in 2016.<sup>31</sup>

Three of these programs (Micmac Domestic and Sexual Violence Advocacy Center, Maliseet Domestic Violence and Sexual Violence Advocacy Center and the Penobscot Nation Domestic and Sexual Violence Advocacy Center) operate emergency shelters and services. These programs provided shelter services to 81 people (not including children) in 2016.<sup>32</sup> The other programs arrange shelter services through area motels, safe homes and referrals.

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<sup>31</sup> E-mail Communication with Jane Root, Wabanaki Women's Coalition, March 1, 2017.

<sup>32</sup> E-mail Communication with Jane Root, Wabanaki Women's Coalition, March 1, 2017.

## FOCUS AREAS

What follows are some key findings, highlights (by no means an exhaustive list) of what is being done to address domestic violence and sexual violence and stakeholder recommendations for providing an even more robust response to these issues. The recommendations should not be thought of as the final word on these crimes but should be considered conversation starters.

### *Domestic Violence*

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#### *Key Findings*

- ◆ Reports of DV assaults: down by 11.6% from 5,554 in 2006 to 4,907 in 2015.
- ◆ Of all homicides (N=23) in Maine in 2015, 39.1% of victims were killed by a family member, spouse, or significant other.
- ◆ Eight DV resource centers associated with the Maine Coalition to End Domestic Violence (MCEDV) report serving 13,280 unduplicated victims of DV (12,781 adults and 499 children) in 2015.

#### *Selective Strategies to address Domestic Violence*

- ◆ Multi-Disciplinary consultation teams
- ◆ Child Protective Services (CPS) Liaisons
- ◆ High Risk Response Teams
- ◆ Best practice assessments

While index rates provide an accurate picture of homicide and (to a lesser extent) assault, they are not as reliable when it comes to domestic violence (DV). There are two reasons for this. First, DV is typically underreported. Second, there is no single index for DV. There are a number of crimes which, when perpetrated by a family member or intimate partner, are considered DV. Among these are assault and murder, which are captured in index figures, but other crimes which are also considered DV, such as threatening, terrorizing, and stalking, are not reflected in index figures. As a result, index crime figures are an underrepresentation of DV.

That being said, the number of DV assaults and homicides reported to police is still important information. From 2006 to 2015, the number of arrests for DV assaults fell by 11.6% (from 5,554 to 4,907). This decrease was comparable to the decrease in all types of assaults, which fell by 8.9%. The ratio of DV assaults to all assaults remained constant at about 46-48% over the ten-year period.

From 2006 to 2015, the number of arrests for DV assaults fell by 11.6% (from 5,554 to 4,907).

Table 3: Domestic Violence Assaults and All Assaults Reported to Law Enforcement

Year	All Reported Domestic Violence Assaults	All Reported Assaults	Percent Domestic Violence of All Assaults
2006	5,554	11,681	47.5%
2011	5,360	13,102	40.9%
2015	4,907	10,638	46.1%
5-year change	-8.5%	-18.8%	
10-year change	-11.6%	-8.9%	

*Data taken from Crime in Maine, Department of Public Safety, Maine State Police, Uniform Crime Reporting Unit's Website.*

DV is also reflected in homicide numbers. Of all homicides victims in Maine in 2015 (N=23), 39.1% were killed by a family member, spouse, or significant other. The actual number of DV homicide victims in 2015 was 9, slightly more than the 8 DV homicide victims in 2006.

Another way to estimate the scope of DV is through a total count of victims served by Maine's DV resource centers. The eight DV resource centers associated with the Maine Coalition to End Domestic Violence (MCEDV) reported serving 13,280 unduplicated victims of DV (12,781 adults and 499 children) in 2015. Of these, 673 victims (410 adults and 263 children) received shelter services totaling 29,728 bed nights.

Table 4: MCEDV Resource Center Services Provided, 2016

	MCEDV Data 2016
DVRC helpline calls	40,926
Victims receiving services	12,946
Adults	12,201
Children	745
Victims receiving shelter	742
Adults	428
Children	314
Total bed-nights	30,661
Child Protective Services-involved victims receiving specialized assistance from DV advocates	2,135
Sex trafficking victims accessing help (shelter, legal, advocacy, case management)	127
Legal service hours (attorneys and legal advocates)	17,465
Legal service recipients	3,625

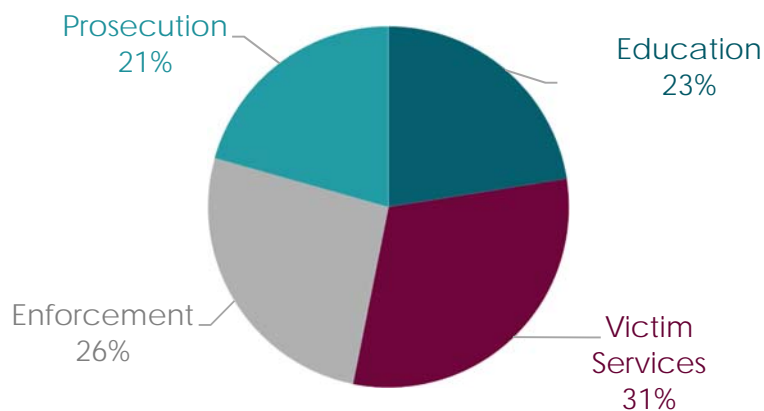
Summary counts from resource centers provide a wider picture of DV, but these figures have limitations as well because not everyone who seeks help from a resource center receives it. On September 16, 2015, all eight of Maine's DV programs participated in the 24-Hour Census of Domestic Violence Shelters and Services.<sup>33</sup> The census found that a total of 416 victims were served on census day. A total of 245 DV victims (132 children and 113 adults) received emergency shelter or transitional housing, and 171 adults and children received other services, including counseling, legal advocacy, and children's support groups. In addition to these served victims, however, there were 36 unmet requests for services on census day, 53% of which were for housing. While some of these victims may have been served on another day, it is unlikely that all were.

### Stakeholder Survey Results

All respondents were asked to consider and rank (1 through 3) the categories of domestic violence services/support that need the most attention in Maine. Respondents (n=160) indicated that victim services need the most attention in Maine, followed by shelter/housing, then legal advocacy. This ranking was the same across all respondent types (e.g. law enforcement, judicial, and DV/SA providers).

Respondents were asked how any available funds should be allocated to address domestic violence, and indicated that the largest proportion of available funds (31%) should be allocated to victim services, followed by enforcement (26%), education/outreach (23%), and prosecution (21%) (See Chart 2).<sup>34</sup>

Chart 2: How State Funding Should Be Allocated to Address Domestic Violence



<sup>33</sup> National Network to End Domestic Violence, "Census: Domestic Violence Counts – Census 2015 Report," n.d., <http://nnedv.org/resources/census.html>. Accessed on October 17, 2016.

<sup>34</sup> Due to rounding up, percentage add up to more than 100%.

Law enforcement respondents indicated that the largest proportion of available funds should be split between enforcement and victim services (at 29% each), while judicial and DV/SA respondents indicated that the largest proportion should go to victim services (29% and 38%, respectively).

### Promising Practices

When asked to share the single most promising practice they have heard about in Maine or elsewhere for addressing domestic violence, respondents most often reported themes related to offender accountability/monitoring, victim services, education, collaboration/coordinated community response, multidisciplinary high risk response teams (HRRT), shelter for survivors, training for law enforcement, and ODARA risk assessment.

Table 6: Promising Practices to Address Domestic Violence

Domestic Violence – Promising Practices	# of Responses/ Themes (N=180)
1. <b>Batterer/Offender Strategies</b> —including batterer intervention programs, mandatory counseling, electronic offender monitoring, aggressive prosecutions, stricter penalties for offenders	32 (23%)
2. <b>Victims Services</b> —including resources for victims, shelters that include substance abuse treatment, and direct victim services programs, for example: Next Step, Safe Voices, New Hope for Women, Family Crisis Services, Pine Tree Legal, Somerset House, Spruce Run/Woman Care, Hope and Justice Program	32 (23%)
2. <b>Community Education</b> —to raise awareness about domestic violence, including in schools and churches, and for sports teams and the public	23 (16%)
4. <b>Cross Disciplinary Collaboration</b> —especially between law enforcement, victim advocates, district attorney, and the court system, including high risk response teams; training for law enforcement; and risk assessment	16 (11%)



## Challenges

When asked to share the biggest challenge Maine faces (other than lack of funding) in its efforts to address domestic violence, respondents provided a variety of important challenges, with no one specific challenge garnering a majority of responses. A summary of responses can be found below in Table 7.

Table 7: Challenges to Addressing Domestic Violence

DV - Challenges	# of Responses/ Themes (N=180)
1. <b>Domestic Violence Services</b> —need for more intervention and advocacy services especially for those survivors living in rural locations or in isolation	16 (9%)
2. <b>Courts</b> —need for improvements in the ways courts process DV cases, schedules them, and hands down decisions	13 (7%)
3. <b>Education</b> —training and education of various constituent groups (e.g., schools, community, law enforcement, and survivors) on health relationships, DV services, resources, etc.	13 (7%)
4. <b>Prosecution</b> —need more prosecutors and the desire for more aggressive prosecution	10 (6%)
5. <b>Survivor Prosecution Issues</b> —desire for survivors to be more cooperative in the prosecution of their abusers and not recant their earlier statements	10 (6%)

## Domestic Violence Prevention and Intervention Services

What follows are some recent statewide and local efforts to address domestic violence and provide services for victims of domestic violence in Maine. The list is not intended to be an exhaustive one, but illustrative of promising approaches to addressing the issue.

### Multi-Disciplinary Consultation Teams

Maine's DV agencies work collaboratively with the Department of Health and Human Services (DHHS), Child Protective Services (CPS), hospitals, mental health services, substance abuse treatment services, and law enforcement agencies to provide victims with a coordinated community response that addresses the complexity of abuse. Recognizing the overlap of DV and substance abuse (termed "multi-abuse"), MCEDV trains multi-disciplinary consultation teams in a trauma-responsive approach to multi-abuse trauma. These teams address the challenging safety concerns that families in crisis face due to the co-occurrence of mental illness, substance abuse, domestic and sexual violence, and child abuse.

DV agencies throughout Maine recognize the need for a coordinated solution and participate in building strong relationships that bridge the work of the various systems addressing the intertwining problems of DV and substance abuse.

### Child Protective Services (CPS) Liaisons

MCEDV provides training to CPS caseworkers to improve their ability to accurately define and identify DV and have specialized advocates who serve as liaisons between the regional offices of DHHS/CPS and the domestic violence resource centers. They communicate the effects of DV on children and advise that children who have experienced abuse or been exposed to DV are safer when their non-abusing, primary caretakers are safe and supported. Interdisciplinary training on how to recognize and respond to DV is part of the cooperative efforts between community organizations to ensure greater safety for victims and their children as they navigate safety planning in their communities.

### High Risk Response Teams

For victims in high-risk situations, High Risk Response Teams work together to put in place strong community safety plans that are individualized for each victim's or family's needs. These teams have a two pronged function, the first being increased focus on offenders identified as high risk through validated assessments. The teams both support the strong criminal justice system accountability be in place for the offender while enhancing safety planning for victims.

Comprehensive victim services which require high levels of cooperation among agencies may include providing emergency shelter or transitional safe housing, material assistance such as clothing vouchers and gas cards, financial literacy program for survivors, nutritional support, peer to peer DV support groups, legal advocacy, protection from abuse orders, parenting education and support with childcare, substance abuse treatment, medical or mental healthcare, and transportation. In order to meet the various needs of victims who are navigating complicated situations, DV agencies in Maine build strong relationships with property owners, law enforcement and judges, healthcare and therapeutic service providers.

### Best Practice Assessment

Program evaluations and effective practice assessments are a vital part of shaping responsive and progressive approaches to DV in Maine. For example, a Best Practice Assessment Coordinator (BPAC) in Aroostook County's Hope and Justice Project conducts Best Practices Assessments (BPAs) on police responses and prosecution responses to DV. The BPAC also facilitates training and awareness about the findings and recommendations that emerge from BPAs with police and prosecutors. The BPA process hones policy and practice, increasing the quality and consistency of law enforcement's response to DV, while prioritizing safety for victims and accountability for perpetrators.

## Sexual Violence

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### *Key Findings*

- ♦ Arrests for forcible rape: up by 9.8% from 340 in 2006<sup>35</sup> to 373 in 2015<sup>36</sup>
- ♦ Clearance rates for forcible rape: relatively stable, ranging from a low of 37.5% in 2008 to a high of 46.3% in 2011 with a 10-year average of 42.0%
- ♦ The seven sexual assault support centers composing the Maine Coalition Against Sexual Assault report that 3,789 unduplicated SA victims were served between October 2015 and September 2016.
- ♦ Roughly one in every seven (14.4%) respondents on the 2015 MCVS reported they had been victims of stalking crimes in the past year.<sup>37</sup>

### *Selective Strategies to address Sexual Assault*

- ♦ Statewide training, technical assistance, and support
- ♦ Specialized support for underserved/marginalized victims
- ♦ Multiple means of support services
- ♦ Multidisciplinary response for child and adult victims

It is difficult to get an accurate picture of how many sexual assaults occur each year in Maine. The way that reporting mechanisms define “rape” or “gross sexual assault” often exclude other forms of sexual assault, thus presenting an inaccurate report of what is occurring in Maine. For example, from 2006 to 2015 the number of forcible rape offenses reported to law enforcement increased by 9.8%, from 340 to 373. But this is only the number of incidents that meet the definition of “forcible rape” under the FBI’s Uniform Crime Reporting (UCR) Program and are reported to law enforcement. The UCR defines forcible rape, as “the carnal knowledge of a female forcibly and against her will. Attempts or assaults to commit rape by force or threat of force are also included; however, statutory rape (without force) and other sex offenses are excluded.”<sup>38</sup> This definition eliminates any reports of sexual assault of males and many other forms of sexual assault that are criminalized in Maine.

From 2006 to 2015 the number of forcible rape offenses reported to law enforcement increased by 9.8%, from 340 to 373.

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<sup>35</sup> State of Maine, Department of Public Safety, “Crime in Maine – 2015,” (Augusta, ME: Department of Public Safety, Uniform Crime Reporting Division), p. 92.

<sup>36</sup> Crime in Maine, 2015, p. 33.

<sup>37</sup> Dumont, R., Shaler, G. “2015 Maine Crime Victimization Report: Informing Public Policy for Safer Communities.” (Portland, ME: University of Southern Maine), p. 24.

<sup>38</sup> Even more so than DV, rape is typically underreported. Some of the increase in reporting reflected in the UCR report may be due to an increase in attention paid to the issue by those in the criminal justice system and a corresponding increase in the confidence of victims to report such crimes.

The 2015 MCVS reports that nearly a quarter (23.2%) of respondents indicated they had been raped at some point in their lifetime.<sup>39</sup> The rate is nearly 3.5% higher for females than it is for males.

In 2015, the number of rapes reported by the Penobscot Nation Passamaquoddy Indian Township, and Passamaquoddy Peasant Point tribal agencies to the FBI's Uniform Crime Reporting (UCR) program was zero, one, and two respectively.<sup>40</sup> The other Maine tribal agencies did not report.

Another way to estimate the incidence of sexual violence is through a total count of victims served by Maine's sexual assault centers. The Maine Coalition Against Sexual Assault (MECASA) comprises seven sexual assault support centers which reported serving 3,789 unduplicated SA victims in one year's time, between October 2015 and September 2016. MECASA reports that about 30% of their clients seek victim services for an assault that occurred more than 12 months earlier.<sup>41</sup>

### **Sexual Assault and Substance Abuse**

Sexual violence and substance abuse are often linked either at the time of event or as means of coping with the sexual violence or the ongoing pattern of abuse. Many survivors report drinking alcohol at the time of their assault.<sup>42</sup> In addition, many long term sexual violence survivors are more likely to be substance abusers. Kendler and her colleagues report that women who were sexually abused as children were three times more likely to be substance abusers than women who were not abused as children.<sup>43</sup> Clearly, providing victim services to some sexual violence survivors requires a multi-systemic response.

## ***Stakeholder Survey Results***

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<sup>39</sup> MCVS, p. 30.

<sup>40</sup> U.S. Department of Justice, Federal Bureau of Investigations, "Crime in the United States – 2015," (Washington, DC: US DOJ, FBI, Criminal Justice Information Services Division), n.d. [https://ucr.fbi.gov/crime-in-the-u.s/2015/crime-in-the-u.s.-2015/tables/table-11/table-11-state-pieces/table 11 offenses known to law enforcement maine by state tribal and other agencies 2015.xls](https://ucr.fbi.gov/crime-in-the-u.s/2015/crime-in-the-u.s.-2015/tables/table-11/table-11-state-pieces/table%2011%20offenses%20known%20to%20law%20enforcement%20maine%20by%20state%20tribal%20and%20other%20agencies%202015.xls). Accessed on January 18, 2017.

<sup>41</sup> Destie Hohman-Sprague (personal communication, December 13, 2016)

<sup>42</sup> Abbey, A., Clinton-Sherrod, A.M., McAuslan, P., Zawacki, T., & Buck, P.O. (2003). Relationship between the quantity of alcohol consumed and the severity of the sexual assaults committed by college men. *Journal of Interpersonal Violence*, 18(7). 813-833.

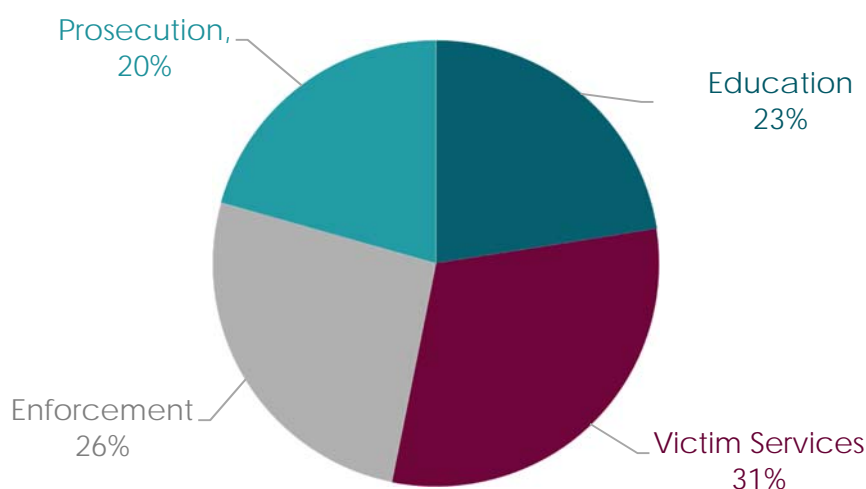
<sup>43</sup> Kendler, K.S., Bulik, C., Silberg, J., Hettema, J., Myers, J., & Prescott, C. (2000). Childhood sexual abuse and adult psychiatric and substance use disorders in women: An epidemiological and co-twin control analysis. *Archives of General Psychiatry* 57(10):953-959.

## Sexual Assault

Respondents were asked to consider and rank (1 through 3) the categories of sexual violence services/support that needed the most attention in Maine, and they indicated that victim services need the most attention, followed by legal advocacy, then coordination (of cross-disciplinary teams). This ranking was the same across all respondent types.

Respondents were asked how any available funds should be allocated to address sexual violence. Respondents indicated that the largest proportion of available funds (31%) should be allocated to victim services. This category was followed by enforcement (26%), education/outreach (23%), and prosecution (20%).

Chart 3: How State Funding should be allocated to Address Sexual Violence



While all respondents indicated that the largest proportion of funding should be allocated to victim services, there were differences by respondent type. Law enforcement respondents indicated that enforcement should be allocated an almost equal amount to victim services, with lesser amounts of funding for education/outreach and prosecution. Judicial respondents indicated nearly equal amounts for education/outreach, enforcement, and prosecution. DV/SA respondents indicated that education/outreach should receive the second largest proportion of funding, with smaller proportions for enforcement and prosecution.

## Promising Practices

When asked to share the single most promising practice they have heard about in Maine or elsewhere for addressing sexual violence, respondents indicated a number of practices that fell within the categories of education and training, response services, and raising awareness. A summary of responses can be found below in Table 8.

Table 8: Promising Practices to Address Sexual Violence

Sexual Violence – Promising Practices	# of Responses/ Themes (N=180)
1. <b>Education and Training</b> —including training school personnel and students, community members, law enforcement, and victims; and including training on specific topics such as consent, healthy relationships and human trafficking	35 (25%)
2. <b>Response Services</b> —including sexual violence response services and teams that entail collaboration between law enforcement and sexual violence and domestic violence groups	15 (11%)
3. <b>Raising Awareness</b> —promoting greater awareness and messaging around sexual violence and also making victims aware of services	10 (7%)

## Challenges

When respondents were asked to share the biggest challenge Maine faces (other than lack of funding) in its efforts to address sexual violence, the themes which emerged most often were problems with non-reporting by victims, lack of prevention and education, lack of prosecution, lack of victim services, lack of training for law enforcement, and lack of offender treatment. A breakdown of responses is included below in Table 9.

Table 9: Challenges to Addressing Sexual Violence

Sexual Violence - Challenges	# of Responses/ Themes (N= 127)
1. Non-reporting by victims	37 (22%)
1. Lack of prevention and education	37 (22%)
3. Lack of prosecution	26 (20%)
4. Lack of victim services	14 (11%)
5. Lack of training for law enforcement	9 (7%)
6. Lack of treatment for offenders	4 (3%)

## Sexual Assault Services

What follows are some recent statewide and local efforts to address sexual violence and provide services to victims of sexual violence in Maine. The list is not intended to be an exhaustive one, but illustrative of promising approaches to addressing the issue.

### Statewide Training, Technical Assistance, and Support

The Maine Coalition Against Sexual Assault (MECASA) is at the forefront of efforts to eliminate sexual violence in Maine. Through the sexual assault and support centers it provides services to victims of sexual violence. MECASA engages in public policy and tracks legislation that advocates

Contacts:	8,537
Clients receiving services:	3,789
Number of service hours:	11,132

for victims and survivors of sexual violence. In recent years, MECASA staff have altered their approach to preventing sexual violence and providing sexual violence services, emphasizing a socio-ecological approach that is far more systemic than previous efforts.

MECASA supports local efforts to prevent and respond to sexual violence in ways that are coordinated, connected, and which model best practice. In order to do this, MECASA offers a range of statewide efforts, including: statewide quality assurance standards, outcome evaluation for prevention and intervention, and data collection and reporting; training for local providers (including twice yearly full-day trainings by service type, monthly topical webinars, and an annual statewide conference; statewide tools such as a standardized advocate training curriculum and a toolkits for training both prevention and intervention staff); and targeted technical assistance on a range of topics.

### Specialized Services and Outreach for Underserved Victims of Sexual Assault

Sexual violence disproportionately impacts already-marginalized populations – children, people of color, Native American women, LGBTQ+ individuals, homeless and street-involved individuals and youth, etc. – and those individuals often have higher barriers to seeking services as well. MECASA and the network of sexual violence crisis and support centers have focused their work in recent years on outreach to vulnerable and underserved communities who have been under-represented in a mainstream approach to service delivery. Through an “Underserved Needs Assessment,” each of the sexual assault crisis and support centers have identified vulnerable and underserved population groups in their respective communities. In turn, each of the centers have worked with various groups in their catchment areas to build partnerships that will hopefully lead to underserved population groups accessing sexual violence services on a more frequent basis.

It is MECASA's hope that these local partnerships will not only extend services to populations that are currently unreached, but that the partnerships will also lead to a more comprehensive array of services available to all victims of sexual violence services.

One such vulnerable population group is LGBTQ+ survivors of sexual violence. LGBTQ+ individuals experience a higher rate of sexual violence than the heterosexual population.<sup>44</sup>

Recognizing that the LGBTQ+ community faces additional barriers to reporting sexual violence and accessing services, a collaborative of service providers developed Safe Space. This training program was designed to enhance the capacity of the centers to provide services to LGBTQ+ survivors of sexual violence and to make the centers more welcoming to these survivors.

Other similar initiatives include drop-in support programming offered on-site at related programs which serve highly victimized or marginalized populations, such as correctional facilities, homeless services, or residential facilities for elders or individuals with disabilities. It also has included the expansion of tools for delivering services, such as the text and chat crisis services and tele video support groups, which will more effectively serve individuals for whom traditional means of access are less accessible or appropriate. Each of these three new technologies will be available in 2017.

### Multiple Means of Support Services

At the forefront of MECASA's victim services work are the seven sexual assault crisis and support centers. These regionally based centers provide the following services:<sup>45</sup>

- ♦ A 24-hour statewide sexual assault crisis and support line, with expansion (in 2017) to include text and chat services, for crisis intervention and information
- ♦ Support groups; including traditional closed groups, experiential groups, and drop-in outreach groups
- ♦ Support and advocacy for victims/survivors of sexual violence and their families
- ♦ 24/7 accompaniment for victims/survivors who choose to seek the sexual assault medical forensic exam, other medical attention, report to the police, and/or go through the criminal justice system no matter when the violence was perpetrated
- ♦ Referrals to mental health professionals and other community services
- ♦ School, community and professional education programs

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<sup>44</sup> Centers for Disease Control and Prevention, "NISVS: An Overview of 2010 Findings on Victimization by Sexual Orientation," n.d., [http://www.cdc.gov/violenceprevention/pdf/cdc\\_nisvs\\_victimization\\_final-a.pdf](http://www.cdc.gov/violenceprevention/pdf/cdc_nisvs_victimization_final-a.pdf). Accessed on October 17, 2016.

<sup>45</sup> Maine Coalition Against Sexual Assault, "Member Centers," n.d., <http://www.mecasa.org/member-centers/>. Accessed on August 17, 2016.



Local sexual assault support centers seek to provide services in many formats and in many locations, to ensure that, no matter what barriers may present, clients can have their needs met in a way that is most appropriate to their circumstances.

### Multidisciplinary Response for Child and Adult Victims of Sexual Assault

The multidisciplinary response to sexual assault is a nationally-recognized best practice for responding to both adult and child victims/survivors. A multidisciplinary approach to sexual violence improves the quality and quantity of forensic evidence; increases law enforcement's ability to collect information, file charges, and refer to prosecution; results in increased prosecution rates over time.<sup>46</sup> Local sexual assault support centers have coordinated local Sexual Assault Response Teams (SART) since the 1990's.

In addition to SART, multidisciplinary response to sexual assault also consists of facilitating and participating local anti-trafficking multidisciplinary teams (Maine currently has 5 established teams, all facilitated or co-facilitated by sexual assault advocates), and the development of Children's Advocacy Centers (CACs).

The CACs are membership organizations devoted to expanding the accessibility of CAC services for families impacted by child sexual abuse. The Network comprises multi-disciplinary teams (MDT) that provide an array of services to sexually abused children and their families. The premise behind the model is that a child and his or her family comes to CAC that is made up of a MDT team of professionals. A joint interview/investigation is initiated and evidence is collected. The CAC coordinates the case review with all team members, including law enforcement, child protective services, etc., eliminating the need for the abused child and his or her family to travel to multiple agencies and be interviewed multiple times.

In FY2016, the four CACs provided 727 forensically sound interviews and delivered training to over 160 CAC staff and MDT partners. Currently there are four CACs in the state (the Children's Advocacy Center of Androscoggin, Franklin, and Oxford Counties; the Children's Advocacy Center of Kennebec and Somerset Counties; the Cumberland County Children's Advocacy Center, and the Penquis Children's Advocacy Center) serving eight of Maine's 16 counties. There are plans underway to open four others that would serve the other ten counties in the next several years.

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<sup>46</sup> Cameron, C, and Helitzer, D. (2003). *Impact evaluation of a Sexual Assault Nurse Examiner (SANE) program*. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/203276.pdf>

### Maine Sex Trafficking & Exploitation Network

Though all local sexual assault support centers engage in anti-trafficking services and systems development at the local level, MECASA also has dedicated anti-trafficking programming at the statewide level. The Maine Sex Trafficking & Exploitation Network, a program of MECASA, offers training, technical assistance, and resources to people and organizations working to combat human trafficking in Maine. Among the services this initiative delivers are:<sup>47</sup>

- ♦ training and technical assistance,
- ♦ tools to help anti-trafficking advocates and service providers be more effective in their efforts,
- ♦ web resources, and
- ♦ public policy advocacy.

As part of this work, a human trafficking needs assessment was conducted by Hornby-Zeller Associates. The study found that in any given year there were 200-300 victims of sex trafficking in Maine.<sup>48</sup> The report included several recommendations, including expanded services for sex trafficking victims and the need for enhanced data collection services.

### Sexual Assault Forensic Examiner Program (SAFE)

This program, in existence since 1998, provides education, training and technical assistance for health care providers, primarily Registered Nurses, in the care of victims of interpersonal violence across the lifespan. Currently 120 SAFEs and SAFEs in Training are practicing in hospital emergency departments across the state. Forty SAFEs are state certified in the care of adults and adolescents with several nationally certified. Eleven are state certified in the care of pediatric patients who have suffered sexual assault. Of the 35 hospitals with emergency departments, 31 employ at least one SAFE. Due to volume issues and cost, some hospitals have opted to share the expense of having SAFEs and share these services on a regional basis among several hospitals. The SAFE education and training program is open to health care providers including Registered Nurses (who are the vast majority of SAFEs), Nurse Practitioners, physicians, and physician assistants, as well as law enforcement officers, advocates, prosecutors, and child welfare caseworkers. Maine is one of only a handful of programs across the country that extends its education and training programs to other disciplines so that all disciplines better understand the role of the forensic examiner in the care and treatment of victims.

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<sup>47</sup> Maine Coalition Against Sexual Assault, "Member Centers," n.d., <http://www.mecasa.org/member-centers/>. Accessed on August 18, 2016.

<sup>48</sup> H. Hornby et al. *Maine Human Trafficking Needs Assessment*. (South Portland, ME: Hornby Zeller Associates, Inc., November, 2015), p. 20.

## Appendix A: Survivor Questionnaire

### Maine Domestic Violence & Sexual Violence Services User Survey

1. From what agency (ies) did you receive services?

2. How important are the following resources for domestic and sexual violence survivors in Maine?

	Extremely Important	Very Important	Moderately Important	Slightly Important	Not Important
Permanent Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Affordable Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information on the Criminal Justice System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Information on the Child Welfare System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Childcare	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural and Linguistic Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comprehensive Safety Planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Emergency Cell Phones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transitional Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. What do you consider to be the most critical area of need for survivors of interpersonal violence in Maine?

## Maine Domestic Violence & Sexual Violence Services User Survey

4. What do you see as the point where the criminal justice system fails survivors, if any?

5. What legislation to address domestic violence and sexual assault would you like to see brought up in the next four years?

6. Rank the following sexual violence resources in order of need (1-9):

Additional Advocates	<input type="text"/>
Increased Number of Forensic Nurse Examiners	<input type="text"/>
Additional Technology	<input type="text"/>
Follow-up medical services for sexual violence survivors	<input type="text"/>
Trauma-Informed Response Training for Prosecutors and Staff	<input type="text"/>
Therapeutic Services	<input type="text"/>
Trauma-Informed Response Training for Law Enforcement	<input type="text"/>
Training on Anonymous Reporting Protocol	<input type="text"/>
Other (_____)	<input type="text"/>

7. What do you consider to be the most critical area of need for survivors of interpersonal violence in Maine?

8. Additional comments?

## Appendix B

### 2015-2016 Maine Legislative Summary of Enacted Domestic Violence and Sexual Assault Laws

Priority Issue	Bill No.	Bill Title	Summary
Sexual Assault	LD 622	An Act To Require Training of Mandated Reporters under the Child Abuse Laws	<b>Public Law 2015, chapter 407</b> requires all mandated reporters of suspected child abuse or neglect to complete training approved by the Department of Health and Human Services at least once every four years.
Sexual Assault	LD 1487	An Act To Amend the Laws on Protection from Abuse and Unauthorized Dissemination of Certain Private Images	<p><b>Public Law 2015, chapter 410</b> does the following:</p> <ol style="list-style-type: none"> <li>1. In Part A it amends the laws concerning unauthorized dissemination of certain private images by providing that access to and dissemination of certain private images and any written information describing and directly pertaining to the images contained in court records are governed by rule or administrative order of the Supreme Judicial Court.</li> <li>2. In Part B it amends the laws on protection from abuse by including in the definition of abuse the unauthorized dissemination of certain private images. It allows a court in ordering interim relief to enjoin a defendant from engaging in the unauthorized dissemination of certain private images. It allows a court in ordering relief to order the defendant to remove, destroy or return or to direct the removal, destruction or return of the private images or to cease dissemination, and to prohibit the defendant from disseminating the private images. It allows the court to enter any other orders determined necessary or appropriate in the discretion of the court, including but not limited to ordering the defendant to pay costs associated with removal, destruction or return of private images. It also provides that access to and dissemination of certain private images and any written information describing and directly pertaining to the images contained in court records are governed by rule or administrative order of the Supreme Judicial Court.</li> <li>3. In Part C it amends the laws on protection from harassment by including in the definition of harassment the unauthorized dissemination of certain private images. It allows a court in ordering interim relief to enjoin a defendant from engaging in the unauthorized dissemination of certain private images. It allows a court in ordering relief to order the defendant to remove, destroy or return or to direct the removal, destruction or return of the private images or to cease dissemination, and to prohibit the defendant from disseminating the private images. It allows the court to enter any other orders determined necessary or appropriate in the discretion of the court, including but not limited to ordering the defendant to pay costs associated with removal, destruction or return of private images. It also provides that access to and</li> </ol>

			dissemination of certain private images and any written information describing and directly pertaining to the images contained in court records are governed by rule.
Sexual Assault	LD 199	An Act To Improve the Reporting of Child Abuse	<b>Public Law 2015, chapter 117</b> requires a mandated reporter of child abuse and neglect to acknowledge in writing that the mandated reporter has received confirmation that the report has been made by the institution, facility or agency to the department. If the mandated reporter does not receive that confirmation within 24 hours of notifying the institution, facility or agency, the mandated reporter is required to report directly to the department. An employer is prohibited from taking any action to prevent or discourage an employee from making a report. Chapter 117 adds similar requirements for reports that must be made to the appropriate district attorney's office.
Sexual Assault	LD 774	An Act To Assist Victims of Crime To Obtain Restitution	<b>Public Law 2015, chapter 109</b> provides a civil remedy for victims of crime when restitution has not been paid as ordered. Chapter 109 requires that an order to make restitution be entered by the clerk in the same manner as a judgment in a civil action at the request of the attorney for the State or a person entitled to restitution under the order. After the order is entered in the same manner as a judgment in a civil action, the order is deemed a money judgment enforceable in accordance with the Maine Revised Statutes, Title 14, chapter 502.
Sexual Assault	LD 1413	An Act To Allow an Attorney To Speak or Provide a Written Statement for a Victim at Sentencing	<b>Public Law 2015, chapter 282</b> allows an attorney for a victim of a crime to submit a written statement or speak on the victim's behalf in the court sentencing procedure.
Sexual Assault	LD 150	Resolve, Requiring a Review of and a Report on Pretrial and Post-conviction Use of Batterers' Intervention Programs	<b>Resolve 2015, chapter 15</b> directs the Maine Commission on Domestic and Sexual Abuse, as established in Title 5, section 12004-I, subsection 74-C, to review pretrial and post-conviction use of batterers' intervention programs. The review must include best practices for batterers' intervention programs, including the length of successful programs and sanctions and incentives to encourage full participation and the potential for use before trial, during a period of deferred disposition and after conviction. The resolve requires the Maine Commission on Domestic and Sexual Abuse to report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 on the results of the review. The report may include recommendations and suggested legislation. The resolve authorizes the Joint Standing Committee on Criminal Justice and Public Safety to submit a bill on pretrial and post-conviction use of batterers' intervention programs to the Second Regular Session of the 127th Legislature.
Sexual Assault	LD 379	An Act To Create the Sex Offender Management and Risk Assessment Advisory Commission	<b>Public Law 2015, chapter 86</b> moves the law establishing the Sex Offender Risk Assessment Advisory Commission from Title 17-A to Title 34-A and changes the name of the commission to the Sex Offender Management and Risk Assessment Advisory Commission. The law changes the commission's powers and duties by requiring the commission to study and offer amendments to the sex offender registration and notification laws and allowing the commission to accept funding.

Sexual Assault	LD 651	An Act To Amend Maine's Sex Trafficking and Child Welfare Laws	<b>Public Law 2015, chapter 360</b> adds the crime of aggravated sex trafficking to the list of prior offenses that are used to enhance a charge of sex trafficking from a Class D to a Class C crime if a defendant has been convicted of two or more of the offenses. The law amends the Child and Family Services and Child Protection Act by adding to the definition of "abuse and neglect" various criminal offenses relating to sexual exploitation, prostitution and sex trafficking of minors and by creating a rebuttable presumption of a parent's unwillingness or inability to protect a child from jeopardy in considering the termination of parental rights if a child for whom the parent was responsible is the victim of sexual exploitation, sex trafficking or aggravated sex trafficking.
Sexual Assault	LD 679	An Act To Prohibit the Unauthorized Dissemination of Certain Private Images	<b>Public Law 2015, chapter 339</b> prohibits unauthorized dissemination of certain private images. The law prohibits the dissemination of images that show a person in a state of nudity or engaged in a sexual act or engaged in sexual contact if the dissemination is done: <ol style="list-style-type: none"> <li>1. In a manner in which there is no public or newsworthy purpose;</li> <li>2. With the intent to harass, torment or threaten; and</li> <li>3. The actor knows or should have known that the person depicted is an adult, is identifiable from the image or from information displayed with the image and has not consented to the dissemination, display or publication of the images.</li> </ol> Chapter 339 amends protection from abuse procedure to allow a complaint to be filed by a victim of unauthorized dissemination of certain private images without regard to whether a criminal prosecution has occurred. It designates unauthorized dissemination of certain private images as a Class D crime. It provides exceptions for lawful and common practices of medical treatment, images that involve voluntary exposure in a public or commercial setting and interactive computer and information services as defined in 47 United States Code, Sections 153 and 230(f)(2).
Sexual Assault	LD 1112	An Act To Make Technical Changes to the Sex Offender Registration and Notification Acts of 1999 and 2013	<b>Public Law 2015, chapter 280</b> amends the Sex Offender Registration and Notification Act of 1999 and the Sex Offender Registration and Notification Act of 2013 to make technical changes. With respect to the Sex Offender Registration and Notification Act of 1999, Chapter 280: <ol style="list-style-type: none"> <li>1. Amends the Act to provide that, with respect to individuals convicted in other jurisdictions, only those individuals convicted before September 18, 1999 may apply for relief from the registration requirement, in order to parallel the provision applicable to registrants with Maine convictions. It also amends the law to require persons found not criminally responsible to be included in reinstating the registration requirement;</li> <li>2. Amends the Act to require registration of a person sentenced after September 17, 1999 for a crime added after that date to the Act;</li> <li>3. Amends the Act to not require verifications to be sent if the verification requirement has been suspended and to change the time period from 90 days to three months in order to require only four verifications a year. The bill also amends the law to clarify</li> </ol>

			<p>that in-person verification should occur every five years on the anniversary of the initial registration;</p> <ol style="list-style-type: none"> <li>Amends the Act to require verifications from lifetime registrants who move to Maine from other jurisdictions;</li> <li>Amends the Act to begin the registration period only after the duty to register has occurred;</li> <li>Amends the Act to allow the Department of Public Safety, State Bureau of Identification to suspend the verification requirement for a registrant who is incarcerated, incapacitated or hospitalized; and</li> <li>Amends the Act to provide for notice if a custodian of records certification is challenged.</li> </ol> <p>With respect to the Sex Offender Registration and Notification Act of 2013, Chapter 280:</p> <ol style="list-style-type: none"> <li>Amends the Act to make the crime of gross sexual assault against a person with intellectual disabilities or autism receiving services from a program of the Department of Health and Human Services a Tier II offense regardless of the age of the victim;</li> <li>Amends the Act to include incest with prior convictions as a Tier III offense;</li> <li>Amends the Act to clarify that the bureau's duty to collect and post information occurs after the initial registration form is received;</li> <li>Amends the Act to not require verifications to be sent if the verification requirement has been suspended, to change the time period from 90 days to three months for Tier III registrants in order to require only four verifications a year and to change the time period from 180 days to six months for Tier II registrants;</li> <li>Amends the Act to allow the bureau to suspend the verification requirement for a registrant who is incapacitated or hospitalized;</li> <li>Amends the violations section in the Act to include cross-references to relevant provisions of the Sex Offender Registration and Notification Act of 1999; and</li> <li>Amends the Act to provide for notice if a custodian of record certification is challenged.</li> </ol>
Sexual Assault	LD 1180	An Act To Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse	<p><b>Public Law 2015, chapter 292</b> provides that the Commissioner of Education must develop a model policy on child sexual abuse prevention education and response for public preschool programs and elementary schools. The law requires the Department of Education to develop the model policy by July 1, 2016, to make the model policy available to school administrative units and to assist school administrative units in developing their own policies for child sexual abuse prevention education and response, based upon the model policy, which schools must develop for the 2017-2018 school year.</p>



Sexual Assault	LD 1275	An Act Regarding Notice to the Public Pertaining to a Resident Person Deported from Canada to the United States for Committing a Sex Offense against a Child	<b>Public Law 2015, chapter 76</b> authorizes a law enforcement agency that obtains from the United States Customs and Border Protection written documentation that a person resident in the jurisdiction of the agency has been deported from Canada to the United States because the person was convicted in Canada of a sex offense against a child to provide notice to the public as determined by the agency to be appropriate to ensure the public safety. The law states that neither the failure to perform the actions permitted by the bill nor the taking of actions in compliance with the bill subjects any state, municipal or county official or employee to liability in a civil action.
Sexual Assault	LD 1114	An Act Regarding Sexual Exploitation of Children	<b>Public Law 2015, chapter 394:</b> <ol style="list-style-type: none"> <li>1. It amends the law on sexual exploitation of a minor by changing the applicable age of protected minors from under 18 years of age to under 16 years of age, except in cases of compulsion. It also provides that the law does not apply with respect to a minor who is 14 or 15 years old who is employed, solicited, enticed, persuaded or used to engage in sexually explicit conduct by a person who is less than 5 years older than the minor, unless the person is the minor's parent or legal guardian or has care or custody of the minor.</li> <li>2. It amends the law on dissemination of sexually explicit material by changing the applicable age of protected persons from under 18 years of age to under 16 years of age. It also provides that the law does not apply with respect to a person depicted in such material if the person is 14 or 15 years old and the person disseminating the material is less than 5 years older than the depicted person.</li> <li>3. It amends the law on possession of sexually explicit material to exempt from the law possession of material in which the depicted person is 14 or 15 years of age and the actor is less than 5 years older than the depicted person.</li> <li>4. It amends the law on unauthorized dissemination of certain private images to remove the requirement that the depicted person be 18 years of age or older for the law to apply</li> </ol>
Sexual Assault	LD 1526	An Act Regarding the Disclosure of Intelligence and Investigative Record Information	<b>Public Law 2015, chapter 411</b> amends the law on disclosure of intelligence and investigative record information to a sexual assault counselor or an advocate for victims of domestic or family violence. Current law requires for disclosure that a specific agreement exist between the counselor or advocate and the agency and that the agreement contains terms provided in the statute. Public Law 2015, chapter 411 repeals these provisions and instead places into law a list of requirements that must be met by a sexual assault counselor or an advocate in order to receive intelligence and investigative record information from a criminal justice agency.
Sexual Assault	LD 1540	An Act To Protect All Students in Elementary or Secondary Schools from Sexual Assault by School Officials	<b>Public Law 2015, chapter 509</b> removes the age limit on the victim of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault when the victim is a student at an elementary, secondary or special education school and the actor is a person at the school who has authority over the student. Public Law 2015, chapter 509 also specifies that a parent

			convicted of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault is subject to stricter scrutiny by the court when it determines residence for and contact with a child of the parent when the victim was a student at an elementary, secondary or special education school and the parent was a person at the school who had authority over the student.
Sexual Assault	LD 1497	An Act To Align the Child and Family Services and Child Protection Act with the Federal Preventing Sex Trafficking and Strengthening Families Act	<b>Public Law 2015, chapter 381</b> amends the Child and Family Services and Child Protection Act to comply with the federal Preventing Sex Trafficking and Strengthening Families Act. It requires the Department of Health and Human Services to disclose certain information on missing or abducted children or youth to the National Crime Information Center database of the Federal Bureau of Investigation and to a national information clearinghouse for missing and exploited children and to provide notification of the removal of a child from the custody of a parent or custodian to all parents of a sibling of the child who have legal custody of the sibling. It also requires that permanency plans for children who are 14 years of age and older must determine the services needed to assist the children to make the transition from foster care to independent living. <b>Public Law 2015, chapter 381</b> was enacted as an emergency measure effective March 1, 2016
Sexual Assault	LD 1477	An Act To Protect Victims of Sexual Assault	<b>Public Law 2015, chapter 427</b> allows a court to terminate the parental rights of a person if the court finds by clear and convincing evidence that the child was conceived as a result of an act of sexual assault by that person. It applies the same standard in the child protection laws.
Sexual Assault	LD 1518	An Act To Ensure Children in the Care of Caretaker Relatives and Other Surrogates Can Access Health Care	<b>PUBLIC 444</b>  A minor may consent to health services associated with a sexual assault forensic examination to collect evidence after an alleged sexual assault regardless of whether a surrogate exists.
Sexual Assault	LD 1531	An Act To Protect Victims of Human Trafficking	<b>Public Law 2015, chapter 443</b> provides that victims of aggravated sex trafficking and sex trafficking are eligible to file for protection from abuse orders and protection from harassment orders.  <b>Public Law 2015, chapter 443</b> captures all provisions of the protection from harassment and protection from abuse laws to include protections for victims of both aggravated sex trafficking and sex trafficking. It amends the definition of "harassment" to include a single act or course of conduct that includes a violation of the Maine Revised Statutes, Title 17-A, section 852, aggravated sex trafficking, or section 853, sex trafficking. The definition is important because it determines who can request a protection from harassment order. It amends the protection from harassment laws to include as prohibited conduct that an interim protection from harassment order issued ex parte may prohibit a defendant's destroying, transferring or tampering with a plaintiff's passport or other immigration document that is in the defendant's possession. It amends the protection from harassment laws to include as prohibited conduct that, after the opportunity for a hearing, a final protection from harassment order may prohibit

			<p>a defendant's destroying, transferring or tampering with a plaintiff's passport or other immigration document that is in the defendant's possession. It provides that violation of the final protection order provision prohibiting a defendant's destroying, transferring or tampering with a plaintiff's passport or other immigration document is treated as a violation of a court order, which may be pursued as contempt.</p> <p><b>Public Law 2015, chapter 443</b> amends the Maine Criminal Code to provide that sex trafficking is a crime for which probation may be included as part of a sentence.</p> <p><b>Public Law 2015, chapter 443</b> amends the protection from abuse laws to amend the definition of "abuse" to include the actions of engaging in aggravated sex trafficking and sex trafficking. It amends the protection from abuse laws to clarify that a victim of aggravated sex trafficking or sex trafficking may file a complaint seeking a protection from abuse order. It amends the protection from abuse laws governing the type of relief that may be included in an interim protection from abuse order to cover a defendant's destroying, transferring or tampering with the plaintiff's passport or other immigration document. It amends the protection from abuse laws to provide that, with regard to conduct described as aggravated sex trafficking or sex trafficking, the court may order the defendant to pay economic damages related to the return or restoration of the plaintiff's passport or other immigration document and any debts of the plaintiff arising from the trafficking relationship. It also provides that a defendant who violates this provision may be punished for contempt.</p>
Sexual Assault	LD 1689	An Act To Protect Children in the State from Possible Sexual, Physical and Emotional Abuse by Persons Who Have Been Convicted of Crimes	<p><b>Public Law 2015, chapter 497</b> directs the Department of Health and Human Services to adopt rules to require criminal background checks for all family child care providers and staff members of child care facilities and family child care providers, to be effective September 1, 2017. The required criminal background checks must meet the requirements of 42 United States Code, Section 9858f(b) for all family child care providers, all child care staff members whose activities involve the care or supervision of children for a child care facility or a family child care provider and all adults who have unsupervised access to children who are cared for or supervised by a child care facility or family child care provider. The rules are major substantive rules and must be provisionally adopted and submitted for legislative review by the joint standing committee of the 128th Legislature having jurisdiction over judiciary matters by January 12, 2017.</p> <p>The joint standing committee of the Legislature having jurisdiction over judiciary matters may submit to the 128<sup>th</sup> Legislature a bill necessary to implement the criminal background check requirements. See also H.P. 1167, Joint Study Order To Establish a Working Group To Study Background Checks for Child Care Facilities and Providers.</p> <p><b>Public Law 2015, chapter 497</b> was enacted as an emergency measure effective April 29, 2016.</p>

Domestic Violence	LD 600	An Act To Prohibit a Person Convicted of a Crime of Domestic Violence from Possessing a Firearm for a Period of 5 Years and To Better Align Maine Law with Federal Law Regarding Persons Prohibited from Possessing Firearms	<p><b>Public Law 2015, chapter 287</b> adds the following persons to the list of persons who may not possess firearms:</p> <ol style="list-style-type: none"> <li>1. Fugitives from justice;</li> <li>2. Persons who are unlawful users of or are addicted to any controlled substance and as a result are prohibited from possession of a firearm under 18 United States Code, Section 922(g)(3);</li> <li>3. Aliens who are illegally or unlawfully in the United States or who were admitted under nonimmigrant visas and who are prohibited from possession of a firearm under 18 United States Code, Section 922(g)(5);</li> <li>4. Persons who have been discharged from the United States Armed Forces under dishonorable conditions;</li> <li>5. Persons who have renounced United States citizenship; and</li> <li>6. Persons who have been convicted or adjudicated of a Class D crime of domestic violence within the previous five year period, calculated from the date of the conviction or adjudication. The prohibition expires at the end of the five-year period unless the person is convicted of any subsequent crime during the five-year period.</li> </ol>
Domestic Violence/ Sexual Assault	LD 431	An Act To Strengthen the Laws Prohibiting Stalking	<p><b>Public Law 2015, chapter 357</b> changes the laws on repeat offenses of stalking and expands the crime of stalking to include conduct directed at or concerning a group of persons. The law does the following:</p> <ol style="list-style-type: none"> <li>1. Expands the crime of stalking to include conduct directed at or concerning a group of persons, designating this crime as a Class C crime. In sentencing, the court is required to use a two-step process in which a base term of imprisonment of one year is imposed in step one and adjustment to that term is imposed in step two;</li> <li>2. Designates as a Class B crime a repeat offense of stalking a group of persons and escalates that crime to a Class B crime, requiring the court to use a two-step process, first determining a base term of imprisonment of two years and then adjusting that term after considering the fact of the stalking and aggravating and mitigating factors, including the impact on the victim; and</li> <li>3. Changes the escalation of criminal penalties for subsequent convictions of stalking, with one prior conviction for stalking or violation of a protective order now being</li> </ol>

			sufficient to enhance penalties. Subsequent convictions are still Class C crimes, but the law adds a mandatory minimum sentence of one year.
Domestic Violence/ Sexual Assault	LD 861	An Act To Protect Victims of Domestic Violence, Sexual Assault or Stalking	<b>Public Law 2015, chapter 293</b> amends the laws governing residential leases in instances where a tenant is a victim of domestic violence, sexual assault or stalking. It prohibits a landlord from evicting a tenant because of an instance of domestic violence, sexual assault or stalking. It also renders the perpetrator liable for certain damages.
Domestic Violence/ Sexual Assault	LD 921	An Act To Strengthen the Right of a Victim of Sexual Assault or Domestic Violence To Take Necessary Leave from Employment and To Promote Employee Social Media Privacy	<p><b>Public Law 2015, chapter 343</b>, Part A changes the penalties that may be assessed for violations of the employment leave for victims of violence law, as follows.</p> <ol style="list-style-type: none"> <li>1. It increases the fine from up to \$200 per violation to up to \$1,000 per violation and provides that the fine applies only to denials of leave in violation of the law.</li> <li>2. It provides that, for denial of leave in violation of the law, the employer must pay the affected individual an amount three times the total assessed fines.</li> <li>3. It provides that, for termination in connection with exercising a right granted under the law, the affected individual may choose either to receive an amount three times the total assessed fines or reemployment with the employer with back wages.</li> </ol> <p>Part B of chapter 343 protects the social media privacy of employees and applicants for employment. It provides that generally an employer cannot request or coerce an employee or applicant to disclose any personal social media account information. There is an exception for cases in which the employer reasonably believed the employee's personal social media account information to be relevant to an investigation of allegations of employee misconduct or a workplace violation of applicable laws, rules or regulations and when requiring the disclosure is not otherwise prohibited by law, as long as the information disclosed is accessed and used solely to the extent necessary for the purposes of that investigation or a related proceeding. Part B makes clear that an employer retains the right to promulgate and maintain lawful workplace policies governing the use of the employer's electronic equipment, including a requirement for an employee to disclose to the employer the employee's user name, password or other information necessary to access employer-issued electronic devices, including but not limited to cellular telephones and computers, or to access employer-provided software or e-mail accounts. An employer who violates this social media privacy law is subject to a fine imposed by the Department of Labor of not less than \$100 for the first violation, not less than \$250 for the second violation and not less than \$500 for each subsequent violation.</p>

## **ABOUT THE MUSKIE SCHOOL OF PUBLIC SERVICE**

The Muskie School of Public Service is Maine's distinguished public policy school, combining an extensive applied research and technical assistance portfolio with rigorous undergraduate and graduate degree programs in geography-anthropology; policy, planning, and management (MPPM); and public health (MPH). The school is nationally recognized for applying innovative knowledge to critical issues in the fields of sustainable development and health and human service policy and management, and is home to the Cutler Institute for Health and Social Policy.

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The Cutler Institute for Health and Social Policy at the Muskie School of Public Service is dedicated to developing innovative, evidence-informed, and practical approaches to pressing health and social challenges faced by individuals, families, and communities.

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The Maine Statistical Analysis Center (SAC) informs policy development and improvement of practice in Maine's criminal and juvenile justice systems. A partnership between the University of Southern Maine Muskie School of Public Service and the Maine Department of Corrections, SAC collaborates with numerous community-based and governmental agencies.

SAC conducts applied research; evaluates programs and new initiatives; and provides technical assistance, consultation and organizational development services. The Maine Statistical Analysis Center is funded by the Bureau of Justice Statistics and supported by the Justice Research Statistics Association.

## **US DEPARTMENT OF JUSTICE**

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